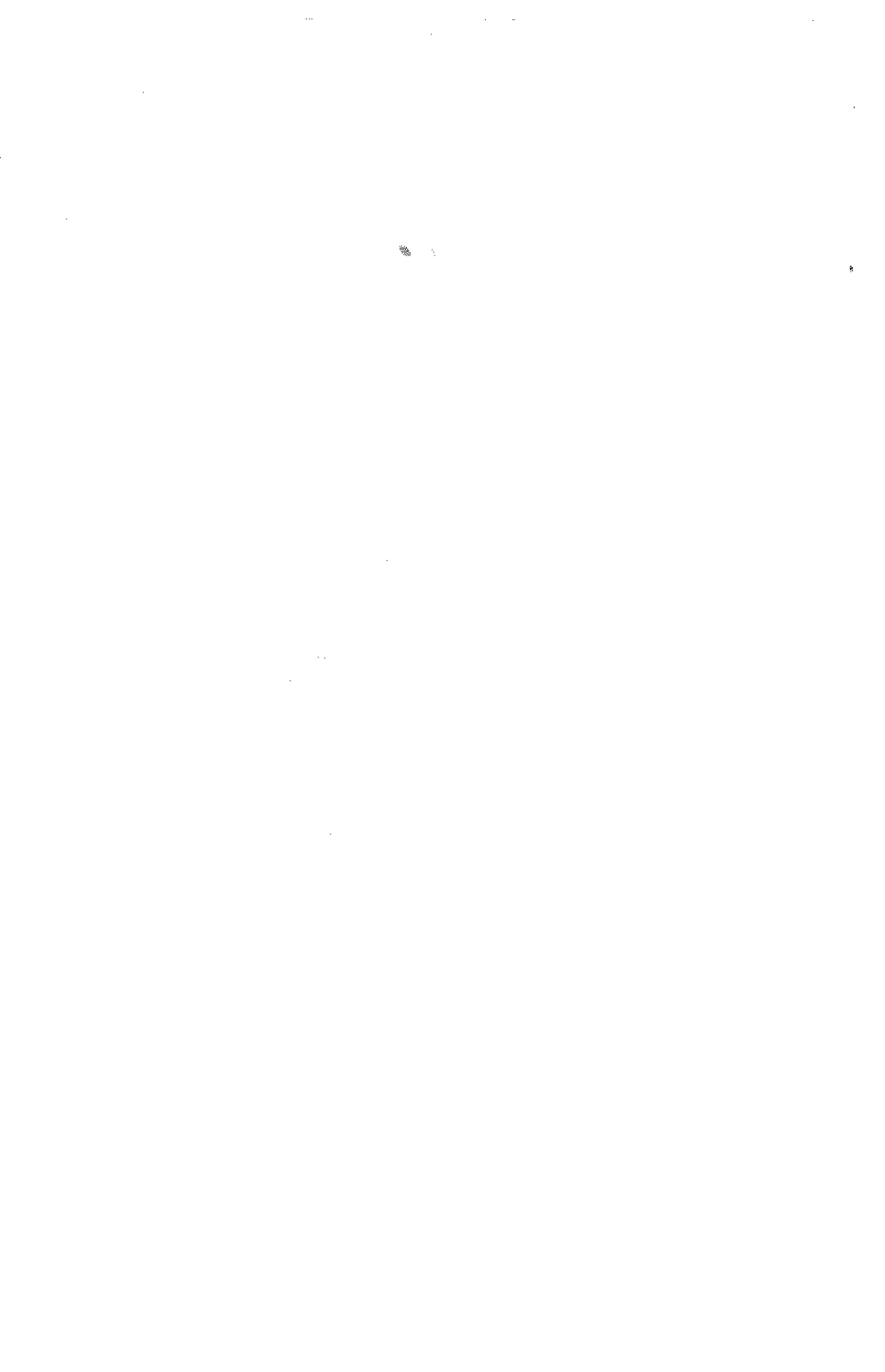


**ZONING REGULATIONS**

**OF**

**HOWARD COUNTY**

**1961**



Z O N I N G   R E G U L A T I O N S

O F

H O W A R D   C O U N T Y

A D O P T E D   B Y

C O U N T Y   C O M M I S S I O N E R S

O F

H O W A R D   C O U N T Y

May 16, 1961, in accordance with Section 234 of the  
Code of Public Local Laws of Howard County (1957  
Edition) and as amended to March 22, 1966

C H A R L E S   E .   M I L L E R

P r e s i d e n t

J. Hubert Black

David W. Force

C o u n t y   C o m m i s s i o n e r s   o f   H o w a r d   C o u n t y

E. Holmes Hawkins

C l e r k   t o   C o u n t y   C o m m i s s i o n e r s

Lewis S. Nippard

C o u n s e l

H o w a r d   C o u n t y   Z o n i n g   D e p a r t m e n t

## QUESTION

1. The following is a list of 100 numbers:

100, 99, 98, 97, 96, 95, 94, 93, 92, 91, 90, 89, 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 67, 66, 65, 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1.

What is the sum of the numbers?

2. What is the sum of the numbers 1 through 100?

3. What is the sum of the numbers 1 through 1000?

4. What is the sum of the numbers 1 through 10000?

5. What is the sum of the numbers 1 through 100000?

ANSWER

1. 5050

2. 5050

3. 500500

4. 50005000

5. 5000050000

6. What is the sum of the numbers 1 through 1000000?

ANSWER

6. 500005000000

7. 50000050000000

8. 5000000500000000

9. 500000005000000000

10. 50000000050000000000

11. 5000000000500000000000

12. 500000000005000000000000

13. 50000000000050000000000000

14. 5000000000000500000000000000

15. 500000000000005000000000000000

16. 50000000000000050000000000000000

17. 5000000000000000500000000000000000

18. 500000000000000005000000000000000000

19. 50000000000000000050000000000000000000

20. 5000000000000000000500000000000000000000

## CONTENTS

SECTION	TITLE	PAGE
1	PURPOSE	1
2	DISTRICTS ESTABLISHED	1
3	DISTRICT MAPS	3
	RESIDENTIAL DISTRICTS	
4	R-90 District	3
	R-40 District	7
	R-20 District	8
	RESIDENTIAL APARTMENT DISTRICTS	
7	R-A-1 District	11
8	R-A-2 District	17
	MOTEL DISTRICT	
9	T-1 District	20
	TRAILER PARK DISTRICT	
10	T-2 District	22
	COMMERCIAL DISTRICT	
11	B-1 District	24
12	B-2 District	26
13	S-C District	28
	MANUFACTURING DISTRICTS	
14	M-R District	34
15	M-1 District	50
16	M-2 District	55
17	STUDY OF USES	57
18	CLASSIFICATION OF USES	58
	SPECIAL PERMITS BOARD OF ZONING APPEALS	
19	Uses Limited as to Location	58
20	NON-CONFORMING USES	72
21	SUPPLEMENTARY DISTRICT REGULATIONS	74



## CONTENTS

SECTION	TITLE	PAGE
22	GENERAL REGULATIONS	84
23	PARKING SPACE REQUIREMENTS	84
24	PERMITS REQUIRED	86
	ZONING COMMISSIONER	
25	Appointment	87
26	Enforcement	87
27	Penalty for Violation	88
28	Remedies of Zoning Commissioner	88
	BOARD OF ZONING APPEALS	
29	Appointment, Meetings & Appeals	88
30	Powers of the Board of Appeals	91
31	Limitations, Guides and Standards	96
32	Court Review	98
	AMENDMENTS	
33	Procedure for Amending Regulations and Districts	99
	ZONING REGULATIONS	
34	Validity	102
35	Interpretation	102
36	Repeal	102
37	DEFINITIONS	103





RESOLUTION OF THE COUNTY COMMISSIONERS  
OF HOWARD COUNTY, IN THE MATTER OF THE  
REVISION OF THE COMPREHENSIVE ZONING PLAN  
OF HOWARD COUNTY, AS PROPOSED BY THE  
PLANNING COMMISSION OF HOWARD COUNTY

CASE NO. 289

WHEREAS, pursuant to Section 10 of the Zoning Regulations of Howard County, adopted January 12, 1954 and as amended to date, the Planning Commission of Howard County did recommend to the County Commissioners of Howard County certain revisions of the Comprehensive Zoning Plan of Howard County; and

WHEREAS, pursuant to Chapter 19 of the General Assembly of Maryland Extraordinary Session of 1948, as Amended by Chapter 604 of the Acts of 1953, a public hearing was held before the undersigned members of the Board of County Commissioners of Howard County on April 7, 1961 and continued on April 10, 1961; and

WHEREAS, the Planning Commission appeared at said hearing and presented its recommendations in the revision of the Comprehensive Zoning Plan; and

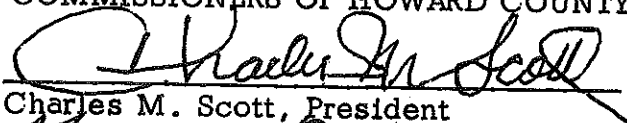
WHEREAS, numerous residents of Howard County and interested parties also appeared at said hearing and presented their views and suggestions upon the recommended revision of the Comprehensive Zoning Plan; and

WHEREAS, after due consideration and deliberation upon all data and testimony presented at said hearing, the undersigned members of the Board of County Commissioners are of the opinion that the revised Comprehensive Zoning Plan as recommended by the Planning Commission, should be adopted with certain exceptions.

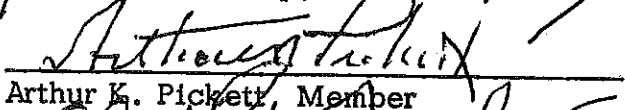
NOW, THEREFORE, BE IT ORDERED AND RESOLVED this 16th day of May, 1961 by the Board of County Commissioners of Howard County, that the following Zoning Regulations, and the map which is made part of the regulations, for Howard County be, and the same are hereby, adopted.

AND BE IT FURTHER ORDERED AND RESOLVED that the Zoning Regulations of Howard County and the Zoning Map of Howard County made part thereof, adopted January 12, 1954, and as amended to date, are hereby repealed.

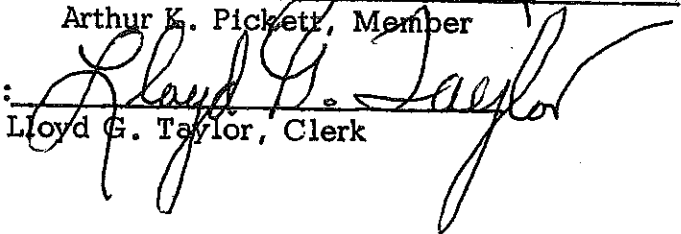
COUNTY COMMISSIONERS OF HOWARD COUNTY

  
Charles M. Scott, President

  
Norman E. Moxley, Member

  
Arthur K. Pickett, Member

ATTEST:

  
Lloyd G. Taylor, Clerk

## SECTION 1. - PURPOSE

The zoning regulations and districts as herein set forth are made in accordance with a comprehensive master plan for the purpose of promoting the health, safety, morals and general welfare of the community. They are designed to lessen congestion in streets, to secure safety from fire, panic and other dangers to provide adequate light and air, to prevent the overcrowding of land and buildings to avoid undue concentration of population, to prevent blight and property deterioration, to facilitate adequate provision for transportation, water, sewerage, schools, parks and other public requirements.

## SECTION 2. - DISTRICTS ESTABLISHED

For the purpose set forth in Section 1 and considering, among other things:

- (a) Traffic problems and their relation to the public safety and welfare.
- (b) The physical layout of the County.
- (c) The orderly growth of the County.
- (d) The ability of the County to provide essential services.
- (e) The most appropriate use of land.
- (f) The conservation and stabilization of property values.
- (g) The needs for adequate open spaces for light and air.
- (h) The preservation of the scenic beauty of the County.
- (i) The necessity of facilitating the provision of adequate community utilities and facilities such as transportation, fire-fighting equipment, water, sewer-

age, schools, parks and other public requirements.

- (j) Population trends throughout the County and in particular areas within the County.
- (k) The proximity of large urban centers to the County.
- (l) The road building and road widening plans of the State and County.
- (m) The needs of the County as a whole and the reasonable needs of particular communities within the County.
- (n) The character of each district and its peculiar suitability for particular uses.
- (o) Such other matters considered relevant and pertinent to the establishment of a comprehensive zoning plan;

Howard County is hereby divided into the following Zoning Districts:

- 2.01 R-90 Residential, one and two family detached.
- 2.02 R-40 Residential, one and two family detached.
- 2.03 R-20 Residential, one and two family detached.
- 2.04 R-A-1 Residential Garden Type A apartments.
- 2.05 R-A-2 Residential Apartments.
- 2.06 T-1 Tourist Accomodations - Motel
- 2.07 T-2 Tourist Accomodations - Trailer Park
- 2.08 B-1 Business - Local
- 2.09 B-2 Business - General
- 2.10 S-C Shopping Center
- 2.11 M-R Manufacturing Restricted
- 2.12 M-1 Manufacturing Light
- 2.13 M-2 Manufacturing Heavy

### SECTION 3. - DISTRICT MAPS

The zoning districts shall be of the number, size, and shape as shown on the zoning map of Howard County and said map with the necessary symbols, legends and dimensions, are hereby made a part of these regulations. As evidence of the authenticity of said map, it shall be signed by the Commissioners of Howard County upon the adoption of these regulations.

### SECTION 4. - R-90 DISTRICTS

#### 4.01 USES PERMITTED IN THE R-90 DISTRICTS

In the R-90 Districts only the following uses of land or building shall be permitted.

- 4.011 One and two family detached dwellings.
- 4.012 Carnivals sponsored by charitable, social, civic or educational organizations for a period of time not exceeding fourteen days in any calendar year, provided that all equipment, banners, stands and other material and equipment shall be completely removed from the premises within five days of the closing of such carnivals.
- 4.013 Churches, convents and monasteries.
- 4.014 Farming, including necessary and customary uses and accessory buildings provided, however, that no building for housing animals or fowl shall be erected within 100 ft. of a dwelling and that no manure shall be stored within 100 ft. of a dwelling, except that dogs and cats and

other household pets shall be allowed to be housed within 100 ft. of a dwelling, but in no case, in the front or side yards of a dwelling nor within 25 ft. of the side lines of a lot.

4.015 Fire houses for the housing of fire-fighting equipment.

4.016 Golf courses, including one club house for each course as an accessory use.

4.017 Public parks or playgrounds.

4.018 Museums and Libraries - owned and/or operated by a public agency or non-profit cultural, historical, religious or educational organization.

4.019 Schools and colleges, public or private, including their research and development laboratories and related, supporting and recreational facilities, except trade schools for adults, provided that no commercial activities shall be conducted.

4.02 ACCESSORY USES PERMITTED IN THE R-90 DISTRICTS.

4.021 Any use normally and customarily incident to any use permitted in the R-90 District shall be permitted as an accessory use.

4.022 Customary home occupations operated by a resident family or member thereof.

4.023 Office of a physician, dentist, attorney or other similar professional

person located in the bona fide residence of such professional person, provided such use shall be confined to not more than one floor of the residence.

- 4.024 Ordinary telephone or electric light poles and wires, sewer and water systems and underground cables or other similar public utility uses, except overhead high tension power lines, radio or television broadcasting antennae or towers.
- 4.025 Roadside stands, not exceeding 180 square feet in area, for the sale of crops, produce, flowers or fruit, grown on the land where such stand is located, provided such stands shall be so situated as to permit customers to drive completely off the highway to make purchases.
- 4.026 Providing room and board or renting rooms by a resident family to not more than four persons.

4.03 HEIGHT REGULATIONS IN THE R-90 DISTRICTS

No building or structure or part thereof shall be erected or extended to exceed a height of 34 feet, except as provided in Section 21.02.

4.04 AREA REGULATIONS IN THE R-90 DISTRICTS

4.041 LOT SIZE

No building shall be erected on any lot where the area of such lot is less than 90,000 sq. ft. Each lot shall have a minimum width of 200 ft. at

building line.

4.042 FRONT YARD

A front yard not less than 100 feet deep shall be provided for each building hereafter erected or extended.

4.043 SIDE YARDS

Two side yards each of which shall be not less than 30 feet shall be provided for each building hereafter erected or extended, except that for a corner lot a side yard along the side street of not less than 60 feet shall be provided.

4.044 REAR YARDS

A rear yard of not less than 60 feet shall be provided for each building hereafter erected or extended, provided that where the rear lot line is adjacent to a freeway or primary road, a rear yard of not less than 100 feet shall be provided.

4.045 COVERAGE

Dwelling including accessory buildings, hereafter erected or extended shall not be permitted to cover more than 20 percent of the lot. Buildings other than dwellings, including accessory buildings hereafter erected or extended shall not be permitted to cover more than 30 percent of the lot.

4.046 FLOOR SPACE REQUIREMENTS

For buildings hereafter erected or converted at least 600 square feet of usable floor space shall be pro-



vided for each family housed.

## SECTION 5. - R-40 DISTRICTS

- 5.01 USES PERMITTED IN THE R-40 DISTRICTS  
Same as R-90 District - Section 4.01.
- 5.02 ACCESSORY USES PERMITTED IN THE R-40 DISTRICTS  
Same as R-90 District - Section 4.02.
- 5.03 HEIGHT REGULATIONS IN THE R-40 DISTRICTS  
Same as R-90 District - Section 4.03.
- 5.04 AREA REGULATIONS IN THE R-40 DISTRICTS
- 5.041 LOT SIZE  
No building shall be erected on any lot where the area of such lot is less than 40,000 square feet. Each lot shall have a minimum width of 125 feet at the building line.
- 5.042 FRONT YARD  
A front yard not less than 75 feet deep shall be provided for each building hereafter erected or extended.
- 5.043 SIDE YARDS  
Two side yards each of which shall be not less than 20 feet shall be provided for each building hereafter erected or extended, except that for a corner lot a side yard along the side street of not less than 40 feet shall be provided.
- 5.044 REAR YARD  
A rear yard of not less than 50 feet shall be provided for each building hereafter erected or extended, provided that where the rear lot line is

adjacent to a freeway or primary road, a rear yard of not less than 100 feet shall be provided.

5.045 COVERAGE

Same as R-90 District - Section 4.045.

5.046 FLOOR SPACE REQUIREMENTS

Same as R-90 District - Section 4.046.

SECTION 6. - R-20 DISTRICTS

6.01 USES PERMITTED IN THE R-20 DISTRICTS

Same as R-90 District, Section 4.01, except that no fowl other than for the normal use of the family residing on the lot and in no case livestock, shall be kept on a lot of less than 40,000 square feet.

6.02 ACCESSORY USES PERMITTED IN THE R-20 DISTRICTS

Same as R-90 District - Section 4.02.

6.03 HEIGHT REGULATIONS IN THE R-20 DISTRICTS

Same as R-90 District - Section 4.03.

6.04 AREA REGULATIONS IN THE R-20 DISTRICTS WHERE PUBLIC WATER AND SEWERAGE ARE NOT PROVIDED

6.041 LOT SIZE

No building shall be erected on any lot where the area of such lot is less than 20,000 square feet. Each lot shall have a minimum width of 100 ft. at the building line.

6.042 FRONT YARD

A front yard not less than 50 feet shall be provided for each building

hereafter erected or extended.

6.043 SIDE YARDS

Two side yards each of which shall be not less than 10 feet shall be provided for each building hereafter erected or extended, except that for a corner lot a side yard along the side street of not less than 40 feet shall be provided.

6.044 REAR YARD

A rear yard of not less than 50 feet shall be provided for each building hereafter erected or extended, provided that where the rear lot line is adjacent to a freeway or primary road, a rear yard of not less than 75 feet shall be provided.

6.045 COVERAGE

Dwellings including accessory buildings hereafter erected or extended shall not be permitted to cover more than 30 percent of the lot. Buildings other than dwellings, including accessory buildings, hereafter erected or extended shall not be permitted to cover more than 40 percent of the lot.

6.046 FLOOR SPACE REQUIREMENTS

Same as R-90 District - Section 4.046.

6.05 AREA REGULATIONS IN THE R-20 DISTRICTS WHERE BOTH PUBLIC WATER AND SEWERAGE ARE PROVIDED

6.051 LOT SIZE

No building shall be erected on any

lot where the area of such lot is less than 10,000 square feet. Each lot shall have a minimum width of 70 feet at the building line.

6.052 FRONT YARD

A front yard not less than 40 feet deep shall be provided for each building hereafter erected or extended.

6.053 SIDE YARDS

Two side yards each of which shall be not less than 10 feet, shall be provided for each building hereafter erected or extended except that for a corner lot a side yard along a side street of not less than 40 feet shall be provided.

6.054 REAR YARD

A rear yard of not less than 40 feet shall be provided for each building hereafter erected or extended, provided that where the rear lot line is adjacent to a freeway or primary road, a rear yard of not less than 75 feet shall be provided.

6.055 COVERAGE

Same as Section 4.045.

6.056 FLOOR SPACE REQUIREMENTS

Same as R-90 Districts - Section 4.046.

6.06 AREA REGULATIONS IN THE R-20 DISTRICTS WHERE PUBLIC WATER ONLY IS PROVIDED

6.061 LOT SIZE

No building shall be erected where the area of such lot is less than 18,000 sq. ft. Each lot shall have

a minimum width of 80 ft. at the building line.

- 6.062 FRONT YARD  
Same as Section 6.042.
- 6.063 SIDE YARDS  
Same as 6.053.
- 6.064 REAR YARD  
Same as Section 6.054.
- 6.065 COVERAGE  
Same as Section 4.045.
- 6.066 FLOOR SPACE REQUIREMENTS  
Same as Section 4.046.

## SECTION 7 - R-A-1 DISTRICTS

### 7.01 USES PERMITTED IN R-A-1 DISTRICTS

In the R-A-1 Districts only the following uses of land or buildings shall be permitted.

- 7.011 One and two family detached dwellings.
- 7.012 Garden type apartment projects provided that not more than 16 dwelling units on two floors in any one building, except that when a building is constructed on terrain where one side of basement has a clear height above ground level, not more than four additional dwelling units shall be permitted at the basement level and only within that portion of the basement, the side of which is above ground level. It is further provided that a site plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall

be submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. Public water and sewerage facilities shall be provided or an agreement with the Metropolitan Commission for the same shall be made before the issuance of any permit. The site plan shall have final approval of the above commissions and departments and other interested public departments before any construction is started within the project area.

7.013 Farming as permitted in the R-90 Districts - Section 4.014.

7.014 Public parks and play grounds.

7.015 Museums and Libraries - owned and/or operated by a public or semi-public non-profit cultural, historical or educational organization.

7.016 Schools, public or private, except trade schools for adults.

7.02 ACCESSORY USES PERMITTED

Any use normally and customarily incidental to any use permitted in the R-A-1 District.

7.03 HEIGHT REGULATIONS

7.031 For any use permitted in the R-90 to R-20 Districts, the height regulations shall be the same as the height regulations in the R-90 to R-20 Districts.

7.032 The height of garden type apartment buildings shall not exceed two stories, measured from the highest el-

evation of the finished grade adjacent to the exterior wall of the building to the square of the building.

7.04 AREA REGULATIONS

For any use permitted in the R-90 to R-20 Districts, the area regulations shall be the same as the area regulations for the R-90 to R-20 Districts. For any other use which is permitted in the R-A-1 District and not permitted in the R-90 to R-20 Districts, the following area regulations shall apply:

7.041 LOT SIZE

7.0411 Area of a lot or project shall contain not less than 2,800 sq. ft. for each apartment dwelling unit. Area of streets, public or private as determined by the Planning Commission within or adjacent to a project, shall not be included in determining the number of apartment dwelling units.

7.0412 For the purpose of this section a lot shall be construed to mean the entire project area covered by a building or a number of buildings used as garden type apartments. It shall not be necessary to provide a separate lot for each building in the project area.

7.042 FRONT YARD

Front yard of not less than 50 feet shall be provided for each building, provided that where the front lot line is adjacent to a freeway or primary road, a front yard of not less

than 100 ft. shall be provided.

7.043 SIDE YARDS

Two side yards each of which shall be not less than 50 feet shall be provided for each building, except as provided in Section 7.045. No building shall be located within 50 feet of any street right-of-way line whether such street is within the project or adjacent to the project. Provided, however, that where the side lot line is adjacent to a free-way or primary road, a side yard of not less than 100 feet shall be provided. Any driveway necessary for ingress and egress to and from interior off-street parking areas or service areas shall not be considered a street.

7.044 OTHER YARDS

No building shall be located within 50 feet of any of the property lines of the project.

~~7.045~~ SPACING OF BUILDINGS

7.043A Where more than one apartment building is placed in a project area, the minimum spacing of buildings shall be as follows:

7.0451 Between parallel buildings (front to front, rear to rear, or front to rear) 100 feet.

7.0452 Between obliquely aligned buildings (front to front, rear to rear, or front to rear) the minimum distance required in preceding



Section 7.0451, may be decreased by as much as 20 feet at one end if increased by a similar or greater distance at the other end.

7.0453 Between the end walls of a building or the end and front or rear of another building 50 feet, except that if one or both opposing walls contain windows that provide over 25% of light and ventilation to one or more living rooms the minimum distance shall be 75 feet. Provided, however, that not more than three buildings may be grouped with overlapping common walls, such overlapping shall not be more than 20% of the length of the shortest wall.

7.0454 Between corners of adjacent buildings that do not face each other or overlap, 50 feet at any point.

~~7.046~~ COURTS

7.044 Minimum width of courts between wings of same structure shall be not less than the length or depth of such court.

~~7.047~~ COVERAGE

7.045 Apartment buildings including accessory buildings shall not be permitted to cover more than 20 percent of the lot.

~~7.048~~ MINIMUM FLOOR SPACE REQUIREMENTS

7.046 Efficiency apartments, consisting of

kitchen, bathroom and combination living room, dining space and bedroom . . . . . 400 sq. ft.  
 One bedroom apartments . . . . . 530 sq. ft.  
 Two bedroom apartments . . . . . 660 sq. ft.  
 Three bedroom apartments . . . . . 800 sq. ft.  
 Each additional bedroom shall increase the minimum floor space by 120 sq. ft. Provided, however, that not more than 30% of the total dwelling units within the project may be efficiency apartments.

7.05 OFF STREET PARKING

Off street parking spaces within the project area, constructed in accordance with Section 23, shall be provided in the amount of one and one half car space for each dwelling unit. Not more than 50% of any yard area may be used for off street parking. Provided that no parking spaces or ~~access driveways to parking~~ areas shall be nearer than 25 ft. from an apartment building. Any parking spaces within the front yard area of a building fronting on a publicly owned street shall be separated from the front street by a buffer strip, not less than 6 ft. in width, either paved as a sidewalk or planted and landscaped.

7.06 OTHER REQUIRED FACILITIES

Every garden type apartment shall provide adequate laundry facilities, garbage and trash facilities and proper maintenance of

halls and other public areas. All open spaces in the project areas, except driveways and parking compounds shall be planted and landscaped and shall be maintained at all times.

7.07 SIGNS

Notwithstanding other provisions of these regulations only such signs as approved by the Planning Commission at the time the site plan is approved shall be permitted. Provided however, that the maximum aggregate area of such signs shall not exceed 100 sq. ft.

SECTION 8 - R-A-2 DISTRICTS

8.01 USES PERMITTED IN THE R-A-2 DISTRICTS

8.011 Uses permitted in the R-A-1 District. (Sect. 7.01)

8.012 Apartment buildings over two stories in height provided that a site plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall be first submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. The site plan shall have final approval of the above commissions and departments and other interested public departments before any construction is started within the project area.

8.02 ACCESSORY USES PERMITTED

Any use normally and customarily incident to any use permitted in R-A-2 Districts.

8.03 HEIGHT REGULATIONS

8.031 For any use permitted in the R-90 to R-A-1 Districts which are permitted in the R-A-2 District, the height regulations shall be the same as the height regulations in the R-90 to the R-A-1 Districts.

8.032 No apartment buildings or part thereof shall be erected or extended to exceed the height of 140 feet except as provided in Section 21.02.

8.04 AREA REGULATIONS

For any use permitted in the R-90 to the R-A-1 Districts which are permitted in the R-A-2 District, the area regulations shall be the same as the area regulations in the R-90 to R-A-1 Districts. For any other use permitted in the R-A-2 District and not permitted in the R-90 to R-A-1 Districts, the following area regulations shall apply:

8.041 LOT SIZE

8.0411 The total area of a project shall not contain less than 5 acres of land.

8.0412 Area of a lot or project shall contain not less than 2,800 sq. ft. for each apartment dwelling unit, provided, however, that for each building in excess of two stories the lot area per dwelling unit may be reduced by 140 sq. ft. for each story of the building in excess of two stories. The minimum lot area per dwelling unit, regardless of the number of stories in a

building, shall be 1400 sq. ft. The minimum lot area per dwelling unit within a project shall be determined by combining the permitted lot area per dwelling unit for each building within the project.

8.0413 Same as R-A-1 District - Section 7.0412.

8.042 FRONT YARD

Same as R-A-1, provided that for any building over two stories in height the front yard shall be increased 1 foot for each additional foot of building height in excess of two stories.

8.043 SIDE YARDS

Same as R-A-1 District, provided that for any building over two stories in height the side yard shall be increased 1 foot for each additional ft. of building height in excess of two stories.

8.044 OTHER YARDS

Same as R-A-1 District, provided that any building over two stories in height other yards shall be increased 1 foot for each additional foot of building height in excess of two stories.

8.045 SPACING OF STRUCTURES

Same as R-A-1 provided that for any building over two stories in height minimum distances between buildings as set forth in Sections 7.0451 to 7.0454 inclusive, shall be incr-

eased by the sum of 1 foot for each additional foot of building height of each adjacent building in excess of two stories.

8.046 COVERAGE

Same as R-A-1 District - Section 7.047

8.047 MINIMUM FLOOR SPACE REQUIREMENTS

Same as R-A-1 District. Section 7.048

8.05 OFF STREET PARKING

Same as R-A-1 District - Section 7.05.

8.06 OTHER REQUIRED FACILITIES

Same as R-A-1 District - Section 7.06.

8.07 SIGNS

Same as R-A-1 District - Section 7.07

SECTION 9 - T-1 DISTRICTS

9.01 USES PERMITTED IN THE T-1 DISTRICTS

In the T-1 Districts, only the following uses of land or buildings shall be permitted.

9.011 Uses permitted in the R-90 to R-20 Districts.

9.012 Motels and tourist cabins and hotels, provided that the design, layout and ingress roads shall be approved by the Planning Commission and provided further that written approval of the Health Officer of Howard County, containing necessary requirements for maintaining health standards shall be filed with the Buildings Engineer before the permit is issued. No permit shall be

issued by the Buildings Engineer until the application conforms with the requirements of the Planning Commission and the County Health Officer.

9.013 Restaurant. As an accessory use in connection only with those uses permitted under Section 9.012 of this Section.

9.014 Automobile Service Station. As an accessory use in connection only with the use permitted under Section 9.013.

9.02 ACCESSORY USES PERMITTED IN T-1 DISTRICTS

Any use normally and customarily incident to any use permitted in the T-1 District, shall be permitted as an accessory use provided the area provisions of Section 9.04 of this Section shall be complied with.

9.03 HEIGHT REGULATIONS IN T-1 DISTRICTS  
Same as in B-1 Districts - Section 11.03.

9.04 AREA REGULATIONS

9.041 For any use permitted in the R-90 to R-20 Districts, the area regulations shall be the same as the area regulations for the R-90 to R-20 Districts.

9.042 For any other use permitted in the T-1 District and not permitted in the R-90 to R-20 Districts, the following area regulations shall apply.

9.0421 LOT SIZE

Minimum lot area shall be three (3) acres.

9.0422 FRONT YARD

A front yard not less than 50 feet in depth, shall be provided for each building hereafter erected or extended. Same may be used as parking area.

9.0423 SIDE YARDS

No building hereafter erected or extended shall be within 10 ft. of any side lot line.

9.0424 REAR YARD

No building hereafter erected or extended shall be within 25 feet of any rear lot line.

9.0425 COVERAGE

Buildings, with their accessory buildings, hereafter erected or extended shall not be permitted to cover more than 50 percent of the lot.

SECTION 10 - T-2 DISTRICTS

10.01 USES PERMITTED IN THE T-2 DISTRICTS

10.011 Uses permitted in the R-90 to R-20 Districts.

10.012 Trailer coach park provided that the design, layout and ingress roads shall be approved by the Planning Commission and provided further that written approval of the Health Officer of Howard County, containing necessary requirements for maintaining health standards shall be filed with the Buildings Engineer before the permit is issued. No per-



mit shall be issued by the Buildings Engineer until the application conforms with the requirements of the Planning Commission and the County Health Officer.

10.02 ACCESSORY USES PERMITTED IN T-2 DISTRICTS.

Any use normally and customarily incident to any use permitted in the T-2 District, shall be permitted as an accessory use provided the area provisions of Section 10.04 shall be complied with.

10.03 HEIGHT REGULATIONS IN T-2 DISTRICTS

Same as B-1 District - Section 11.03.

10.04 AREA REGULATIONS

10.041 For any use permitted in the R-90 to R-20 Districts, the area regulations shall be the same as the area regulations for such use in the R-90 to R-20 Districts.

10.042 For any other use permitted in the T-2 District and not permitted in the R-90 to R-20 Districts, the following area regulations shall apply:

10.0421 LOT SIZE

Minimum lot area of trailer park shall be three (3) acres. Minimum area of each trailer coach space shall be 2000 sq. ft.

10.0422 FRONT YARD

No building shall be erected or trailer coach parked within 50 ft. of the front street.

10.0423 SIDE YARDS

No trailer coach shall be parked within 20 ft. of any side lot line or any other trailer coach.

10.0424 REAR YARD

No trailer coach shall be parked within 25 ft. of any rear lot line.

10.0425 COVERAGE

Buildings, with their accessory buildings, and trailer coach spaces hereafter erected or extended, shall not be permitted to cover more than 40 percent of the lot.

SECTION 11 - B-1 DISTRICTS

11.01 USES PERMITTED IN THE B-1 DISTRICTS

In the B-1 Districts only the following uses of land or building shall be permitted.

11.011 Uses permitted in the R-90 to R-20 Districts.

11.012 Advertising signs or devices advertising products sold on the premises, provided such signs shall be attached to the building and shall not project more than 6 feet therefrom (See Section 21.047).

11.013 Art, trade, and business schools.

11.014 Personal and household service shops.

11.015 Retail stores and service shops.

11.016 Offices, professional and business.

11.017 Parking lots or garages for parking purposes only, provided no automobile repairs or service shall be permitted and no motor vehicles shall be sold from the premises.

- 11.018 Restaurants and lunch rooms.
- 11.019 Bakery, provided all goods baked on the premises shall be sold at retail from the premises.
- 11.0110 Banks and Savings and Loan Associations.
- 11.0111 Boarding houses.
- 11.0112 Community meeting halls.
- 11.0113 Clubs and lodges.

11.02 ACCESSORY USES PERMITTED IN THE B-1 DISTRICTS

Any use normally and customarily incident to any use permitted in the B-1 District shall be permitted as an accessory use, provided the area provisions of Section 11.04 are complied with.

11.03 HEIGHT REGULATIONS IN THE B-1 DISTRICTS

No building or structure or part thereof shall be erected or extended to exceed a height of 40 feet.

11.04 AREA REGULATIONS IN THE B-1 DISTRICTS

For any use permitted in the R-90 to R-20 Districts, the area regulations in the B-1 District shall be the same as the area regulations for the R-90 to R-20 Districts. For any other use permitted in the B-1 District and not permitted in the R-90 to R-20 Districts, the following area regulations shall apply:

11.041 LOT SIZE

No minimum lot size is required provided that such lot shall front on an approved street.

11.042 FRONT YARD

✓ 11.042

A front yard not less than 50 feet in depth, shall be provided for each building hereafter erected or extended. Same may be used for parking area.

11.043 SIDE YARDS

No side yards shall be required.

11.044 REAR YARD

No rear yard shall be required.

11.045 COVERAGE

Buildings, with their accessory buildings, hereafter erected or extended shall not be permitted to cover more than 50 percent of the lot.

11.05 OFF STREET PARKING

Off street parking spaces shall be provided and constructed in accordance with Section 23.

SECTION 12 - B-2 DISTRICTS

12.01 USES PERMITTED IN THE B-2 DISTRICTS

In the B-2 Districts only the following uses of land or building shall be permitted.

12.011 Uses permitted in the B-1 Districts.

12.012 Advertising signs or devices advertising products sold on the premises (See Section 21.049).

12.013 Amusement and recreation uses, including swimming pools, roller skating rinks and dance halls.

12.014 Automobile or truck gasoline service stations, only upon approval of the Board of Zoning Appeals, Section 19.24.

- ✓ 12.015 Automobile, truck, construction or farm equipment storage, sales, repairs and services, not including retail gasoline distribution, provided vehicles shall not be dismantled or wrecked on the premises.
- 12.016 Bowling alleys and pool rooms.
- 12.017 Public buildings.
- 12.018 Sports centers.
- ✓ 12.019 Storage or sale of gasoline, fuel oil, bottled gas or liquified petroleum for retail distribution, only upon approval of the Board of Zoning Appeals, Section 19.24.
- 12.0110 Theatres or motion picture theatres.
- 12.0111 Hotels or motels, provided the design, layout and ingress and egress roads shall be approved by the Planning Commission and provided further, the written approval of the Health Officer of Howard County, containing necessary requirements for maintaining health standards, shall be filed with the Building Engineer before the permit is issued. No permit shall be issued by the Buildings Engineer until the application conforms with the requirements of the Planning Commission and the County Health Officer.
- 12.0112 Building supplies and lumber yards.
- 12.0113 Printing, lithographing, or publishing house, employing not more than 50 persons.
- 12.0114 Storage of prepared dairy products

and other food products to be distributed on milk truck routes, provided that no processing of dairy products and no storage of bulk milk shall be permitted.

12.0115 Research Laboratories as defined in Section 37.24.

12.0116 Taverns.

12.02 ACCESSORY USES PERMITTED IN THE B-2 DISTRICTS

Any use normally and customarily incident to any use permitted in the B-2 District shall be permitted as an accessory use provided the area provisions of Section 12.04 shall be complied with.

12.03 HEIGHT REGULATIONS IN B-2 DISTRICTS  
Same as B-1 District - Section 11.03.

12.04 AREA REGULATIONS IN THE B-2 DISTRICTS  
Same as B-1 District - Section 11.04.

12.05 OFF STREET PARKING

Off street parking spaces shall be provided and constructed in accordance with Section 23.

SECTION 13 - S-C DISTRICTS

The S-C Districts are the shopping center districts. Such centers are retail business areas, characterized by a concentrated grouping of stores, shops, and other uses, providing common parking facilities, ingress and egress roads and other facilities of a community aspect. Shopping centers shall be planned with good architectural treatment and shall be erected as an integrated project. The project may be in single or multiple ownership but it shall be necessary to provide general supervision or management to assume responsibility for

compliance with the requirements of this Section and to assure the benefits and services such districts are intended to provide. All requirements as to uses permitted, height, area and parking space requirements shall be as hereinafter provided in this Section.

13.01 USES PERMITTED IN THE S-C DISTRICTS

In the S-C Districts only the following uses of land or building shall be permitted:

13.011 Automobile parking lots, for customer parking only, provided no automobile repairs or service shall be permitted and no motor vehicles shall be sold from the premises.

13.012 Bakery, provided all goods baked on the premises shall be sold at retail from the premises.

13.013 Banks and savings and loan associations.

13.014 Bowling alleys and billiard or pool rooms.

13.015 Business and professional offices.

13.016 Not more than one building in each project to be used as a community meeting house.

13.017 Department stores, including the sale of clothing, furniture and household appliances.

13.018 Not more than two gasoline service stations, provided no repair work, except minor repairs and adjustments, shall be permitted.

13.019 Laundryettes.

13.0110 Personal service shops, such as barber shops, beauty shops, tailor

shops, and shoe repair shops.

13.0111 Radio and television sales and service shops.

13.0112 Restaurants and lunch rooms.

13.0113 Retail stores such as general food, meat, grocery, drug, confectionery, variety, hardware and alcohol package goods stores.

13.0114 Not more than one theatre or motion picture theatre, except that open air theatres shall not be permitted.

13.02 ACCESSORY USES PERMITTED IN THE S-C DISTRICTS

Any use normally and customarily incident to any use permitted in the S-C Districts shall be permitted as an accessory use.

13.03 HEIGHT REGULATIONS IN THE S-C DISTRICTS

Buildings may be erected to a height of two stories but no building shall exceed a height of 34 feet.

13.04 AREA REGULATIONS IN THE S-C DISTRICTS

A shopping center as permitted in the S-C Districts shall contain not less than ten acres of land within the project area and such land shall not be divided by a street, except ordinary ways to serve as means of ingress and egress to parking areas and shopping facilities, and constituting a part of the project area maintained by the owners of the shopping center, provided further, that a site plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facili-



ties shall be first submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. The site plan shall have final approval of the above commissions and departments and other interested public departments before any construction is started within the project area. It shall not be necessary to provide a separate lot for each separate store, shop or building which go to make up the uses planned and erected in a community shopping center.

#### 13.041 YARD SPACES

No building shall be erected within 100 ft. of any public street line, provided that gasoline service stations, erected as a part of a shopping center, may be erected within 100 feet of a public street line, but in no case less than 70 feet, and provided further that no parking lot or other facility or accessory use shall be used or erected within 20 feet of any public street line.

#### 13.042 COVERAGE

Buildings shall not be permitted to cover more than 25 per cent of the entire project area.

#### 13.05 OFF STREET PARKING

For every 100 square feet of floor space designed to be used for business purposes and for each ten seats in a place of public assembly, a usable parking space for one car,

not less than 200 square feet in area, shall be provided within the project area used as a community shopping center. Such car space and the ingress and egress roads shall be paved and kept in good repair. Ingress and egress roads shall have access over a paved road to an approved street.

13.06 PROCEDURE FOR CREATING S-C DISTRICTS

13.061 Areas for S-C Districts may be designated on the Official Zoning Map or may be created by petition to the County Commissioners of Howard County for an amendment to the Zoning Map in accordance with procedure set forth in Section 33 of these regulations.

13.062 A petition for creating such a shopping center district shall be accompanied by two or more copies of complete preliminary development plans showing existing topography, proposed grading, drainage, screening, planting, extent, general location and character of proposed structures, uses and open area, ingress and egress. Such preliminary development plan shall be submitted to the Planning Commission and Metropolitan Commission of Howard County for recommendation and report to the County Commissioners.

13.063 After a public hearing on the proposed plan, the County Commissioners shall pass their order of

disapproval, approval, or approval with conditions incorporated therein. Any approved hereunder shall contain a specific requirement that buildings and ground continued to be so maintained that they will not adversely affect vicinal properties. Failure to comply with this requirement may be grounds for reclassification of such property by the proper authority after notice and public hearing. All uses of any property zoned S-C District must be in compliance with the approved development plan.

13.064 A final development plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall be submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. The site plan shall have final approval of the above commissions and departments and other interested public departments before any construction is started within the project area.

13.065 No building permit shall be issued in any S-C District for a building or buildings which comprise less than 25% of the floor area of buildings shown on the development plan. Such building or buildings shall comply with the approved final de-

velopment plan. If such an approved plan has not been utilized and 25% of the floor area of the buildings shown on development plan are not constructed within a period of five years from the date of its final approval, it shall be void unless on written request from the petitioner or owner, the County Commissioners after receiving a recommendation and report from the Planning Commission, grant an extension, provided, however, that not more than two such extensions for a period of one year each may be granted.

13.066 The S-C Districts shown on the zoning district maps shall be used only for the purposes provided in this Section, namely, shopping centers. If not used for such purposes the regulations for the uses permitted by the R-20 District regulations shall be permitted.

#### SECTION 14 - M-R DISTRICTS

In order to provide greater freedom in the selection of industrial areas and at the same time to secure and maintain effective control over the locations, type, and arrangement of industrial uses and to protect the uses in neighboring residential zones, areas for M-R Districts may be designated on the zoning map and/or may be created by petition in accordance with the procedure as outlined in Section 14.25.

14.01 USES PERMITTED IN THE M-R DISTRICTS  
In the M-R Districts only the following uses

of land or buildings shall be permitted:

- 14.011 Assembly of electrical appliances, electronic instruments and devices, radios and phonographs.
- 14.012 Bakery.
- 14.013 Bottling plant, except alcoholic beverages.
- 14.014 Cold storage plant.
- 14.015 Laboratory, research only.
- 14.016 Laundry, cleaning, and dyeing establishments.
- 14.017 Manufacture, compounding, packaging or treatment of candy, cosmetics, drugs, perfumes and food products.
- 14.018 Manufacture, compounding, assembling, or treatment of articles or merchandise from the following previously prepared materials: Bone, canvas, cellophane, cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, pipe, plastics, precious or semi-precious metals or stones, sheet metal (excluding large stampings such as motor vehicle fenders and bodies), shells, textiles, tobacco, wax, wire, wood and yarns.
- 14.019 Manufacture of musical instruments, precision instruments, clocks, watches, toys, novelties, wrought iron products, rubber or metal stamps, and other small moulded rubber products.
- 14.0110 Offices and office buildings.

14.0111 Printing, lithographing, or publishing plant.

14.0112 Warehouses, sales and storage.

Provided such uses conform with the requirements of this Section and provided further that the uses listed in Section 14.1~~7~~ shall not be permitted in the M-R Districts.

#### 14.02 ACCESSORY USES AND BUILDINGS

Any use completely housed within a building, which is normally and customarily incident to the principal use on the lot, shall be permitted as an accessory building and use.

14.021 No accessory building shall be permitted within the yard spaces required by this section.

14.022 Underground sewer and water pipes and only underground public utility cables and wires shall be permitted.

14.023 Recreational facilities such as ball fields and swimming pools shall be permitted as customary plant activities.

14.024 Cafeterias and snack bars for employees, housed within the principal building, shall be permitted as customary accessory uses.

#### 14.03 HEIGHT REGULATIONS

No building shall exceed in height one-fourth the distance in feet such building is situated from the nearest side line of the lot, provided however, that no accessory building may be constructed to exceed a

height of 20 feet.

#### 14.04 AREA REGULATIONS IN THE M-R DISTRICTS

##### 14.041 REQUIRED SIZE OF LOT

No tract or parcel of land containing less than five acres shall be used for manufacturing or industrial purposes in the M-R Districts, provided that a site plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall be first submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. The site plan shall have final approval of the above commissions and departments and other interested public departments before any construction is started.

##### 14.042 COVERAGE OF LOT

No building or structure, plus any permissible accessory structures, shall cover in the aggregate, more than ~~20~~ percent of the area of any lot. *40% now (6 Nov 1967)*

##### 14.043 DISTANCE FROM ROADS AND HIGHWAYS

No building or accessory building or use of any kind shall be situated nearer than 150 feet to the nearest

right of way of any public road or highway abutting the property. At least ten feet immediately adjacent to any street abutting the property shall be planted in grass or landscaped and such planting and/or grass strips shall be maintained at all times.

#### 14.044 SIDE YARDS

Two side yards each of which shall be not less than 50 feet wide shall be provided for each building between the side lines of the lot and any building or accessory building. At least 10 feet of each such yard space immediately adjacent to the lotline shall be planted in grass or landscaped and such planting and/or grass strips shall be maintained at all times.

#### 14.045 DISTANCE FROM RESIDENTIAL DISTRICTS

No principal building or accessory building or use shall be erected within 150 feet of any boundary line of any Residential District.

#### 14.05 TYPE OF CONSTRUCTION

Only buildings, including accessory buildings, of masonry or other fireproof construction shall be permitted. Concrete, cinder or slag blocks, where permitted by the building code, shall be parged or stuccoed on



the exterior.

**14.06 OFF STREET PARKING REQUIREMENTS**

Provisions for off street parking shall be required in accordance with Section 23 of the Zoning Regulations of Howard County.

**14.07 USE OF LAND WITHOUT BUILDINGS**

All uses permitted in the M-R Districts shall be conducted completely within the confines of an enclosed building or buildings and no storage of any kind, including raw materials, manufactured goods or equipment, shall be permitted outside of buildings, except the temporary parking of private automobiles and the parking of trucks while loading or unloading.

**14.08 NOISE CONTROL**

Buildings shall be so constructed and the machinery and equipment so installed and insulated that no noise, above traffic noises, shall be perceptible without instruments at any point along any of the property lines when the plant or other use is in full operation.

**14.09 VIBRATION CONTROL**

Buildings shall be so constructed and the machinery and equipment so installed and insulated that the ground vibration inherently and recurrently generated is not perceptible without instruments at any point along any of the lot lines of the property.

- 14.10 **SMOKE AND FLY ASH**  
All furnaces, boilers or heaters used for power, processing, or heat shall be oil or gas fired only. The emission of smoke and fly ash from any source whatever, to a density greater than the density described as No. 1 on the Ringelman Chart, shall not be permitted. The Ringelman Chart, as published and used by the Bureau of Mines, United States Department of the Interior, is hereby adopted and made part of these regulations.
- 14.11 **FUMES, GASES AND ODORS**  
No noxious, toxic or corrosive fumes, odors or substances shall be permitted to escape or be discharged into the atmosphere.
- 14.12 **EMISSIONS AFFECTING PERSONS**  
No acid, gas, vapor, odor or other substance shall be expelled into the atmosphere which is detrimental to the health, safety or welfare of persons or will interfere unreasonably with the comfort of those living, working or studying in nearby properties.
- 14.13 **EMISSIONS AFFECTING PROPERTY OR VEGETATION**  
No acid, gas, vapor, or other substance shall be expelled into the atmosphere which is harmful to property or vegetation.
- 14.14 **DIRT AND DUST**  
No use shall be permitted to emit unreasonable amounts of dust, sweepings, dirt or

cinders into the atmosphere, so as to adversely affect the health, safety or comfort of those living, working or studying in nearby properties.

#### 14.15 POLLUTION OF STREAMS

No liquid, solid wastes or other harmful matter shall be discharged into any stream, river or other body of water.

#### 14.16 ADVERTISING

No sign or advertising matter of any kind shall be permitted on the property except the following:

14.161 Directional and information signs, each not to exceed four square feet in area and not exceeding 16 square feet in the aggregate.

14.162 Signs forming a part of the architectural design of the building, provided such signs do not extend above roof level.

14.163 Not more than three signs, each not to exceed 60 feet in area, identifying the use, the products manufactured, or the name of the business conducted on the premises.

14.164 Signs painted on fences or buildings and roof signs shall not be permitted.

14.165 Illumination, if any, shall be designed and arranged to prevent glare into other properties.

#### 14.17 USES EXCLUDED

Notwithstanding other provisions of this Section and these regulations no land and/or building shall be used for any one or more of the following uses in the M-R Districts:

- 14.171 Uses permitted in the R-90 to R-20, R-A-1, R-A-2, B-1 and B-2 Districts provided however, that the use of land for farming purposes shall not be excluded.
- 14.172 Uses permitted in the T-1, T-2, S-C Districts and those uses permitted in the M-1 and M-2 Districts which cannot conform to the requirements of this Section.
- 14.173 Abattoir - slaughtering of animals - stockyards - killing or dressing of poultry.
- 14.174 Boiler making or works.
- 14.175 Brewing or distilling of alcoholic beverages.
- 14.176 Brick yard or kiln.
- 14.177 Creosote treatment or manufacture.
- 14.178 Dismantling of automobiles, salvage, storage, or sale of used automobile parts whether within a building or on an open parcel of land.
- 14.179 Distillation of coal, wood, bones or tar.
- 14.1710 Distillation of spirits of turpentine or varnish.
- 14.1711 Fat rendering.
- 14.1712 Fertilizer manufacture.
- 14.1713 Fireworks or explosive manufacture or storage.

- 14.1714 Fish canning, curing, grinding or smoking.
- 14.1715 Flour, grist or grain mills.
- 14.1716 Fuel oil manufacture - or refining.
- 14.1717 Foundries.
- 14.1718 Gasoline manufacture.
- 14.1719 Hair factory.
- 14.1720 Incineration or reduction of garbage.
- 14.1721 Iron, steel or copper works or foundries.
- 14.1722 Junk storage, handling or sale.
- 14.1723 Lamp black manufacture.
- 14.1724 Lime, cement or plaster of paris manufacture.
- 14.1725 Lime kiln.
- 14.1726 Manufacture or refining of petroleum or asphalt or any of their products.
- 14.1727 Ore dumps, or elevators or ore reduction.
- 14.1728 Paint, oil, varnish, lacquer, shellac or turpentine manufacture.
- 14.1729 Paper or pulp manufacture.
- 14.1730 Planing mill.
- 14.1731 Plastic, pyroxylyene, including celluloid manufacture.
- 14.1732 Potash works.
- 14.1733 Poudrette works.
- 14.1734 Pulverizing charcoal or coal.
- 14.1735 Raw hides or skins storage.
- 14.1736 Refining of metals.
- 14.1737 Refuse dumps and sanitary fills.
- 14.1738 Rubber, caoutchouc or gutta percha manufacture.

- 14.1739 Rubber manufacture from suede materials.
- 14.1740 Quarries.
- 14.1741 Sewage disposal plant - except for use situated on property and subject to approval of Health Officer.
- 14.1742 Shoddy manufacture and wool scouring.
- 14.1743 Smelting.
- 14.1744 Soap manufacture.
- 14.1745 Soda or washing compound manufacture.
- 14.1746 Starch, glucose or dextrine manufacture.
- 14.1747 Steam or drop hammer forge plants.
- 14.1748 Stone crusher.
- 14.1749 Sugar refinery.
- 14.1750 Tallow, grease or lard manufacture or refining.
- 14.1751 Tannery.
- 14.1752 Tar distillation.
- 14.1753 Tar roofing or tar waterproofing manufacture.
- 14.1754 Vinegar manufacture.
- 14.1755 Yeast plant.
- 14.1756 Uses limited as to location under Section 19 of these regulations, such as apartment houses, kennels for boarding or breeding dogs, country or private clubs and open air theatres.

**14.18 APPLICATION FOR PERMIT**

No building shall be constructed, altered or increased in size and no existing use shall be changed in the M-R District until:

14.181 The site plan has been approved by the Planning Commission in accordance with the provisions of Section 14.20

14.182 The Zoning Commissioner has approved an application for a certificate of occupancy, or a permit certifying that the proposed use complies with the provisions of these regulations.

14.183 The Howard County Metropolitan Commission has approved the application.

14.184 The Health Officer of Howard County has approved the application where such application involves any matter coming within his jurisdiction.

14.185 The Building Engineer certifies that the proposed building or buildings conform to the requirements of the Building Code.

14.186 A permit has been issued.

#### 14.19 DATA REQUIRED FROM APPLICANT

The Planning Commission, the Zoning Commissioner and Building Engineer may require such plats and data from the applicant as will enable each to determine compliance with applicable regulations.

#### 14.20 APPROVAL OF SITE PLAN BY PLANNING COMMISSION

14.201 No certificate of occupancy or permit shall be issued for any use in the M-R Districts until the site plan has been approved by the Planning

Commission and the Zoning Commissioner.

- 14.202 The Planning Commission, before acting upon the application, shall give consideration to the following:
- 14.2021 The land use plan and the general plan for the county.
  - 14.2022 The adequacy and location of roads within the lot to be used, access roads to the proposed industry from arterial highways and whether or not adequate roads or highways are available to protect nearby residential property.
  - 14.2023 The location, layout and adequacy of parking, loading and unloading facilities.
  - 14.2024 General traffic conditions in and near the property to be used.
  - 14.2025 Whether or not sewerage and water facilities are adequate.
  - 14.2026 The number of people to be employed and the ability of the County to supply essential services for such employees and their families.
  - 14.2027 The highway plans of the County and State.
  - 14.2028 Any other factors which may prevent the orderly growth of the County or would adversely affect the completion of the general highway plan of the County or State.
- 14.203 After carefully considering the above guides and standards the Plan-



ning Commission shall approve, approve with modifications and conditions attached, or disapprove the application, stating its reasons for its action.

**14.21 FAILURE TO COMPLY AFTER OCCUPANCY**

If, at any time, after a permit has been issued for any use in an M-R District, and the building or buildings are occupied and/or used, the Zoning Commissioner finds that any of the requirements of this Section are being violated, he shall order the owner to make such corrections as he deems necessary to bring the use and operation into compliance with the provisions of this Section, and such order shall be complied with, within a period of time extending not more than 120 days from the original notice. The owner may appeal to the Board of Zoning Appeals from the Zoning Commissioner's order either as to the necessary changes ordered or the time within which to complete them. The Board shall make no decision in the matter without first holding a public hearing. Such appeal and public hearing shall be within the time and as otherwise provided by Section 29 of these regulations.

**14.22 ORDER TO DISCONTINUE USE**

Where the owner fails to conform with the notice of the Zoning Commissioner or the resolution of the Board of Zoning Appeals, including any limitations and conditions which may be imposed, the permit and all rights and privileges thereunder shall be-

come null and void. Thereafter the property shall not be used unless and until a new permit for any use permitted in the M-R District shall have been issued pursuant to this Section.

14.23 EXISTING USES

Nothing in this Section shall be construed to require the discontinuance of any use now existing in the M-R Districts.

14.24 RETAIL SALES

For any manufacturing plant permitted in the M-R District, retail sales shall be permitted from the main building, provided not more than 10 percent of the articles made on the premises are sold therefrom.

14.25 PROCEDURE FOR CREATING M-R DISTRICTS

14.251 M-R Districts may be created by petition to the County Commissioners of Howard County for an amendment to the zoning map in accordance with procedures set forth in Section 33 of these regulations.

14.252 A petition for creating such an M-R District shall be filed with the Zoning Commissioner. It shall be accompanied by three or more copies of complete preliminary development plans showing existing topography, proposed grading, drainage, screening, planting, extent, general location and character of proposed structures, uses and open area, ingress and egress. A copy of such preliminary development plan shall be transmitted by the Zoning Com-

missioner to the Planning Commission and the Metropolitan Commission of Howard County for recommendation and report on the proposed project to the County Commissioners.

- 14.253 After a public hearing on the proposed plan, the County Commissioners shall pass their order of disapproval, approval, or approval with conditions incorporated therein. Any approval hereunder shall contain a specific requirement that buildings and ground continue to be so maintained that they will not adversely affect vicinal properties. Failure to comply with this requirement may be grounds for reclassification of such property by the proper authority after notice and public hearing. All uses of any property zoned M-R District must be in compliance with an approved development plan.
- 14.254 A final development plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall be submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. The site plan shall have final approval of the above commissions and departments and other interested public departments

before any construction is started within the project area.

- 14.255 No building permit shall be issued in any M-R District for a building which does not comply with the approved final development plan. If such an approved development plan has not been utilized within a period of five years from the date of its final approval, it shall be void unless on written request from the petitioner or owner, the County Commissioners after receiving a recommendation and report from the Planning Commission, grant an extension, provided, however, that not more than two such extensions for a period of one year each may be granted.

#### SECTION 15 - M-1 DISTRICTS

The M-1 Districts are designed to permit fairly heavy industrial uses but exclude the so-called nuisance uses. The Districts are limited in number, so that, as the county grows, County Commissioners may exercise adequate control over the geographic distribution of such manufacturing districts and uses.

##### 15.01 USES PERMITTED IN THE M-1 DISTRICTS

Only the following uses of land or building shall be permitted:

- 15.011 Uses permitted in the B-2 and M-R Districts, except as provided in Section 15.09.

- 15.012 Advertising signs, including bill-

- boards.
- 15.013 Bakery.
  - 15.014 Bookbinding.
  - 15.015 Broom and brush manufacture.
  - 15.016 Camera and photographic equipment manufacture.
  - 15.017 Ceramic products manufacture.
  - 15.018 Christmas decorations or ornament manufacture, provided that paint spraying shall be done in a fire-proof room and that the requirements of the County Health Officer shall be complied with.
  - 15.019 Clothing or hat manufacture.
  - 15.0110 Cosmetic and toiletries manufacture, except soap.
  - 15.0111 Dry food manufacture or packing,
  - 15.0112 Furniture manufacture.
  - 15.0113 Gasoline Service Station.
  - 15.0114 Glass products, from previously manufactured glass.
  - 15.0115 Ice cream manufacture.
  - 15.0116 Jewelry manufacture.
  - 15.0117 Laundry or dry cleaning plant.
  - 15.0118 Milk bottling.
  - 15.0119 Musical instrument manufacture.
  - 15.0120 Non-alcoholic beverage manufacture or bottling.
  - 15.0121 Optical equipment manufacture.
  - 15.0122 Orthopedic and medical appliance manufacture, such as artificial limbs, braces, supports and stretchers.
  - 15.0123 Perfume manufacture.
  - 15.0124 Pharmaceutical products, compounding only.

- 15.0125 Precision machine equipment and instruments manufacture, including clocks and watches.
- 15.0126 Printing establishments.
- 15.0127 Shoe and leather products manufacture, provided no tanning is done on the premises.
- 15.0128 Silverware manufacture.
- 15.0129 Soap and detergents, packaging only.
- 15.0130 Spice manufacture or packing.
- 15.0131 Sporting goods manufacture, including balls, bats, gloves, baskets, rackets, rods, reels, and lures.
- 15.0132 Stationery manufacture.
- 15.0133 Television, radio and household appliance manufacture.
- 15.0134 Truck terminals and warehouses, provided all loading and unloading shall be done entirely on private property and that no part of any vehicle shall extend into a street while loading or unloading.
- 15.0135 Wholesale houses and merchandise distribution centers.
- 15.0136 The manufacture of cement, cinder or slag products.
- 15.0137 The re-capping and re-treading of automobile and truck tires.
- 15.0138 The manufacturing of wire products from previously manufactured wire.
- 15.0139 The storage and sale of gasoline, fuel oil, etc. in accordance with Sections 19.241 and 19.242.

15.02 AREA REGULATIONS IN THE M-1 DISTRICTS

15.021 COVERAGE OF LOT

No building or structure, plus any permissible accessory structures, shall cover in the aggregate, more than 40 per cent of the area of the lot.

15.022 DISTANCE FROM ROADS

No building or accessory building or use of any kind shall be situated nearer than 75 feet to the nearest right of way of any public road or highway abutting the property.

15.023 DISTANCE FROM RESIDENTIAL DISTRICTS.

No principal building or accessory building shall be erected within 100 feet of any boundary line of any Residential District.

15.03 HEIGHT REGULATIONS

No building or structure or part thereof shall be erected or extended to exceed a height of 50 feet.

15.04 OFF-STREET PARKING REQUIREMENTS.

Provisions for off-street parking shall be required in accordance with Section 23 of these regulations.

15.05 ACCESSORY USES AND BUILDINGS

Any use normally and customarily incident to any use permitted in the M-1 Districts shall be permitted as an accessory use.

15.06 USES EXCLUDED

Uses permitted in the Residential Districts, personal service shops and retail stores, except farming, recreational uses, restaurants and lunch rooms, shall not be permitted in the M-1 Districts, provided however, that where merchandise is manufactured on the premises, it may be sold there-

at the time of the adoption of these regulations.

#### 15.07 NOISE CONTROL

Buildings shall be so constructed and the machinery and equipment so installed and insulated that no noise, above traffic noises, shall be perceptible without instruments at any point along the boundaries of the district in which the use is located.

#### 15.08 VIBRATION CONTROL

Buildings shall be so constructed and the machinery and equipment so installed and insulated that the ground vibration inherently and recurrently generated is not perceptible without instruments at any point along the boundaries of the district in which the use is located.

#### 15.09 SMOKE AND FLY ASH

The emission of smoke and fly ash from any source whatever, to a density greater than the density described as No. 1 on the Ringelman Chart, shall not be permitted. The Ringelman Chart, as published and used by the Bureau of Mines, United States Department of the Interior, is hereby adopted and made part of these regulations.

#### 15.10 ODORS, FUMES, GASES

No acid, gas, vapor, odor or other harmful substance shall be expelled into the atmosphere which will interfere unreasonably with the health, safety or comfort of those living, working or studying in nearby properties.

#### 15.11 POLLUTION OF STREAMS

No liquid, solid wastes or other harmful matter shall be discharged into any stream, river or other body of water.



## SECTION 16 - M-2 DISTRICTS

The M-2 Districts are intended to provide for as heavy a type of industry as the County Commissioners have decided is desirable in Howard County, plus such reasonably compatible uses, not specifically permitted, as the Board of Zoning Appeals may approve subject to adequate safeguards to surrounding properties and the County as a whole.

### 16.01 USES PERMITTED IN THE M-2 DISTRICTS

Only the following uses of land or building shall be permitted:

- 16.011 Uses permitted in the M-1 Districts, except as provided in Section 16.06.
- 16.012 Aircraft manufacture or assembly.
- 16.013 Automobile or truck assembly plant.
- 16.014 Beverage manufacture and bottling, including alcoholic beverage.
- 16.015 Bottle gas, storage for retail distribution in accordance with Sections 19.241 and 19.242.
- 16.016 Brass, bronze, aluminum or white metal works.
- 16.017 Bulk storage of oil or petroleum products in accordance with Sections 19.241 and 19.242.
- 16.018 Coal yard.
- 16.019 Cotton mill, cloth manufacture.
- 16.0110 Food manufacturing, packing or processing plant.
- 16.0111 Ice factory.
- 16.0112 Iron, steel, copper, brass or aluminum products manufacture.
- 16.0113 Machine shop, including manufacture of precision instruments.
- 16.0114 Match manufacture.

- 16.0115 Monument works, open or enclosed.
  - 16.0116 Motor vehicle repair shop - dismantling or wrecking not permitted without approval of the Board of Zoning Appeals.
  - 16.0117 Packing houses for seafood, meat, fruit or vegetables.
  - 16.0118 Poultry killing and dressing establishment.
  - 16.0119 Public utility structure and uses.
  - 16.0120 Woodworking plants.
  - 16.0121 Bituminous road material mixing plants.
  - 16.0122 In addition to the above uses, any use approved by the Board of Zoning Appeals under Section 30.01 of these regulations.
- 16.02 AREA REGULATIONS IN THE M-2 DISTRICTS
- 16.021 COVERAGE OF LOT
    - No building or structure, plus any permissible accessory structures, shall cover in the aggregate more than 40 percent of the lot.
  - 16.022 DISTANCE FROM ROADS
    - No principal building or accessory building or use of any kind shall be situated nearer than 75 feet to the nearest right of way of any public road or highway abutting the property.
  - 16.023 DISTANCE FROM RESIDENTIAL DISTRICTS.
    - No principal building or accessory building or use shall be erected within 100 feet of any boundary line of any Residential District.
- 16.03 HEIGHT REGULATIONS
- No building or structure or part thereof

*shall be erected<sup>56</sup> or extended to exceed a height of 50 feet "*

#### 16.04 OFF-STREET PARKING REQUIREMENTS

Provisions for off-street parking shall be required in accordance with Section 23 of these regulations.

#### 16.05 ACCESSORY USES AND BUILDINGS

Any use normally and customarily incident to any use permitted in the M-2 Districts shall be permitted as an accessory use.

#### 16.06 USES EXCLUDED

Uses permitted in the Residential Districts, personal service shops and retail stores, except farming and recreational uses, restaurants and lunchrooms, shall not be permitted in the M-2 Districts, provided however, that where merchandise is manufactured on the premises, it may be sold therefrom and that a dwelling may be constructed on a lot of 1 acre or less in area which is of record at the time of the adoption of these regulations.

#### 16.07 ODORS, FUMES, GASES

No acid, gas, vapor, odor or other harmful substance shall be expelled into the atmosphere which will interfere unreasonably with the health, safety or comfort of those living, working or studying in nearby properties.

#### 16.08 POLLUTION OF STREAMS

No liquid, solid wastes or other harmful matter shall be discharged into any stream, river or other body of water.

### SECTION 17 - STUDY OF USES

The Planning Commission, the Zoning Commissioner and the Board of Zoning Appeals shall study property uses generally and their effect upon each other and the community, and the specific uses permitted in the several zoning districts and

shall, from time to time, as business, manufacturing and industrial techniques develop and change, recommend the addition of uses of the same general character to the list of uses permitted as a matter of right in any zoning district, or that certain uses shall be excluded from a particular district or shall require approval of the Board of Appeals in the M-2 Districts or under uses limited as to location in Section 19. However, no such addition or change shall become effective until approved by the County Commissioners as provided in Section 33 of these regulations and in compliance with Chapter 19 of the Acts of the General Assembly of Maryland, Extraordinary Session of 1948, as amended by Chapter 604 of the Acts of 1953.

#### SECTION 18 - CLASSIFICATION OF USES

Uses shall be classified in the order in which they are permitted in the districts as they appear under Section 2, the highest classification being uses permitted in the R-90 District and the lowest classification being uses permitted in the M-2 Districts.

#### SECTION 19 - USES LIMITED AS TO LOCATION

Notwithstanding other provisions of these regulations, certain uses, because of their particular or exceptional needs and requirements, or their effect upon the neighborhoods in which they are permitted to operate, shall be further limited as to location, so that no such use shall be permitted in Howard County unless approved by the Board of Zoning Appeals, after public notice and hearing and subject to the limitations, guides and standards provided in Sections 30 and 31, and pro-

vided further, an approval of the Board shall carry with it the necessity of complying with all use, height and area requirements of these regulations, except as specifically modified or changed by this Section. The Board's authority with respect to such uses shall be limited to the districts specifically mentioned so that --

19.01 The Board may approve in the R-90, R-40 and R-20 Districts, saw mills, provided any approval of the Board shall be limited to one year from the date of said approval and upon written request of the applicant, 30 days before the end of said one year period, the Board may extend said use for an additional one year period and may be further extended for additional one year periods, provided said Board is requested by written notice as herein provided, and provided further that there shall be a notice and public hearing upon every third application for an extension. The Board shall have continuing jurisdiction in such cases and may, from time to time, impose additional conditions or limitations in order to carry out the purpose and intent of the Zoning Regulations as set forth in Section 1 and Section 2 hereof.

19.02 The Board may approve in any district overhead, high tension power lines and other similar public utility lines or radio and television antennae and towers provided that the location of such uses shall be approved by the Planning Commission of Howard County and the height of such towers and lines shall be approved by State and Federal aviation authorities and shall contain no advertising signs or light, except those required by said State and Federal aviation authorities.

19.03 The Board may approve rock or stone quar-

ries, sand and gravel pits in any district provided approval by the Board of such uses shall specifically state the requirements for maintaining such uses in a safe condition. The Board shall have continuing jurisdiction in such cases and may, from time to time, impose additional safeguards in the interest of public safety and security, or said Board may revoke the use granted and the permit issued where it finds such use endangers the lives and safety of people living in the community, provided however, no such permit shall be revoked without public notice and hearing.

19.04 The Board may permit additions to existing cemeteries in any district and new cemeteries in the R-90 to R-20 Districts, provided adequate provisions, satisfactory to the Board and legally binding upon the operation of any cemetery, requiring perpetual care of such cemeteries, shall be filed with the Board before such use is approved. Entrances and exits to and from cemeteries shall be clearly marked and the location of such exits and entrances shall be approved by the Board only after a thorough study of traffic conditions in the neighborhood.

19.05 The Board may approve in any District commercial aircraft landing fields and airports, provided the Board shall find that such use is essential or desirable to the public convenience and welfare.

19.06 The Board may approve animal and motor vehicle race tracks in the M-1 and M-2 Districts, provided that in the interest of public safety and to prevent such uses from becoming serious traffic hazards, the Board may provide, among other things, that no entrance or exit to and from the en-

closed area so used shall be nearer than 200 feet from any approved street.

19.07 The Board may approve riding academies in the R-90, R-40 and R-20 Districts only, provided:

19.071 That any lot used for such purposes shall contain not less than 15 acres of land.

19.072 That no stable shall be erected, extended or used within 200 feet of the street or property line.

19.073 That no permit for a riding academy shall be issued without the approval of the County Health Officer.

19.074 That no stable shall be erected or maintained within 300 feet of a residence of any other person without a permit being granted by the local Board of Health of Howard County as provided in Chapter 196, Acts of 1945, General Assembly of Maryland.

19.08 The Board may approve kennels for commercial boarding and breeding of dogs in the R-90 to R-20 district, provided:

19.081 That any lot used for such purposes shall contain not less than five acres of land.

19.082 That no kennels shall be erected, extended or used within 100 feet of a street or property line where adjoining property is being used for purposes permitted in the R-90, R-40 and R-20 Districts.

19.083 That no permit for a dog kennel shall be issued without the approv-

al of the County Health Officer.

19.084 That no kennel shall be erected or maintained within 300 feet of a residence of any other person without a permit being granted by the local Board of Health of Howard County as provided in Chapter 196, Acts of 1945, General Assembly of Maryland.

19.09 The Board may approve in any district more than two (2), but not more than twelve (12) apartment dwelling units in an existing building, and additions thereto, provided that:

19.091 The lot area shall not be less than 5,000 square feet for each apartment dwelling unit.

19.092 All other height and area regulations pertaining to dwellings for the district in which the apartment houses are located shall be complied with.

19.093 Sewage disposal and water supply facilities for such apartment houses shall be approved by the County Health Officer.

19.094 The design, layout, ingress and egress roads and required parking spaces of such apartment houses shall be approved by the Planning Commission.

19.095 Where public sewer and public water are provided, the Board may approve apartment dwelling units of less than 600 square feet floor space, but in no case less than 475 square feet; provided further, that



not more than 1/3 of the total number of apartment dwelling units shall be less than 600 square feet.

19.096 Off-street parking constructed in accordance with Section 23, shall be provided in the amount of one and one half car space for each apartment dwelling unit.

19.10 The Board may approve non-profit clubs, lodges, community meeting halls, in the R-90 to R-20 Districts.

19.11 The Board may approve the providing of rooms or room and board to more than four persons by a resident family in the R-90 to R-20 Districts.

19.12 The Board may approve in the R-90 Districts, livestock auction markets, consisting of pens or other enclosures and their appurtenances, in which livestock are received, held, sold or kept or sold for shipment in commerce, provided, that no buildings or appurtenances for housing animals shall be erected within 300 feet of a dwelling house and that no manure shall be stored within 300 ft. of any dwelling and provided further that any parcel or lot used for such purposes shall have an area of not less than 25 acres in the aggregate, and provided further that no slaughtering of any kind shall be permitted.

19.13 The Board may approve in any district public utility uses, buildings or structures, (except as are otherwise specifically provided for in these regulations) and without regard to any area requirements, except such as may be imposed by the Board.

19.14 The Board may approve in the R-90 to R-20 Districts, a public swimming pool, provided that:

- 19.141 Approval of the Health Department of Howard County is first obtained for such swimming pool.
- 19.142 The area of the lot to be used shall be not less than five (5) acres.
- 19.143 The pool and buildings, including accessory buildings, and any other structures, shall set back not less than 100 ft. from any street or highway.
- 19.144 The pool and buildings, including the accessory buildings, or any other structures, shall set back not less than 50 ft. from any adjoining lot lines.
- 19.145 Commercial sales shall be limited to non-alcoholic beverages, sandwiches, candy and similar confections, designed to be consumed only on the premises.
- 19.146 The area of the building from which such commercial sales are to be made shall not exceed 1,000 sq. ft. of floor space.
- 19.147 That off-street parking constructed in accordance with Section 23, shall be provided in the amount of one car space for each two patrons, to be determined by the normal capacity of the pool.
- 19.148 The hours and mode of operation, the amount and type of screening from the adjacent residential property and the mode of lighting shall be determined by the Board. The

Board shall have continuing jurisdiction in such cases, and may, from time to time, impose additional conditions in order to carry out the purposes and intent of the Zoning Regulations as set forth in Section 1 and Section 2 hereof.

19.15 The Board may approve in the R-90 to R-20 Districts, an antique shop in an existing building, provided, however, that:

19.151 The height and area regulations of the district in which such antique shop is located are complied with.

19.152 Any alterations or additions to the building shall conform generally in design to buildings permitted in the R-90 District.

19.153 No building shall be altered or additions erected with a store front or designed for any use other than those uses permitted in the R-90 District, except as provided in this Section.

19.154 All merchandise sold, offered for sale, or stored on the property shall be confined to the building.

19.155 No display of any kind shall be permitted except that one sign not to exceed twelve (12) square feet in area may be displayed on the premises advertising only the name of the antique shop and the proprietor's name and address.

19.156 The property on which such antique shop is located shall be of suffic-

ient size to allow for off-street parking in accordance with Section 23 of these regulations.

19.16 The Board may approve in the R-90 to R-20 Districts the raising and selling of Chinchillas within 100 ft. of a dwelling, provided, however, that:

19.161 The height and area regulations of the district in which such raising and selling is located are complied with.

19.162 No building shall be altered or additions erected with a storefront or designed for any use other than those uses permitted in the R-90 District.

19.163 The raising and selling of Chinchillas shall be confined to the building.

19.164 No display of any kind shall be permitted except, that one sign, not to exceed 2 sq. ft. in area, may be displayed on the premises advertising only the name of the animal being raised and sold, and the owner's name and address.

19.17 The Board may approve in the R-90 to R-20 Districts animal hospitals, provided all such uses and buildings are in conformance with all height and area requirements of the district in which the same are located; provided, however, that the lot area shall be at least 40,000 square feet and that any such animal hospital, including pens or runs, shall be confined to a building.

19.18 The Board may approve in R-90 and R-40

Districts, an open air theater, including drive-in theaters, provided that:

- 19.181 The lot to be used for any drive-in theater shall be not less than ten acres.
- 19.182 The property on which any open air theater, except a drive-in theater, is located shall be of sufficient size to allow for off-street parking in accordance with Section 23 of these regulations.
- 19.183 All other height and area regulations pertaining to the district within which any open air theater is located shall be complied with.
- 19.184 The design, ingress and egress roads and required parking spaces for any open air theater shall be approved by the Planning Commission.
- 19.185 Sewage disposal and water supply and storm drainage facilities for any open air theater shall be approved by the Health Department of Howard County and Metropolitan Commission.
- 19.186 Any motion picture screen or stage shall be so located, designed or screened so as not to be seen from any public highway at a point less than 6 feet above such highway.
- 19.187 Commercial sales shall be limited to non-alcoholic beverages, sandwiches, candy and similar confection designed to be consumed on the premises.

19.188 Parking spaces for any theater shall be constructed in accordance with Section 23 of these regulations.

19.19 The Board may approve in the Residential and B-1 Districts, Temporary Directional Signs, for the purpose of directing the public to a residential sub-division or development, provided, however, that:

19.191 Each sign shall not exceed 24 square feet in area and shall not be illuminated.

19.192 The sign shall contain no advertising matter other than the name of the subdivision or development and a directional arrow and distance and shall contain no other matters.

19.193 The number of signs that may be permitted each residential subdivision or development shall be limited to one for each location. The number of locations that may be permitted for each residential subdivision or development shall be limited to four,

19.194 Any person who is aggrieved by the existence of any sign permitted under this section may require a hearing before the Board of Zoning Appeals for Howard County, upon written notice to said Board, which said hearing shall be held prior to the granting of the permit or prior to the renewal of any permit whichever shall thereafter occur.

19.195 Such signs shall be placed at the

approved location in such a manner so as not to interfere or obstruct the vision of motorists as to other traffic.

19.196 The approval by the Board as herein provided, shall permit the applicant to place this temporary directional sign at the approved location for a period of six months from the date of said approval, and upon written request by the applicant thirty days before the end of said six months period, the Board may extend said temporary use for an additional six month period and may be further extended for additional six month periods provided said Board is requested by said written notices as hereinafter provided.

19.197 At the time of approval of said temporary directional sign and at the time of each request for extension thereof the applicant shall be required to pay the sum of Twenty-five (\$25.00) Dollars for said permit, to the County Commissioners of Howard County.

19.20 The Board may approve in the Residential Districts a beauty parlor, provided that:

19.201 The same shall be located within a structure actually occupied as a residence and conducted by the person or persons residing in said residence.

19.202 Not more than two operators shall practice at said residence.

- 19.203 Advertising thereof shall be limited to one non-illuminated sign not exceeding two square feet in area.
- 19.204 The Board shall find such use is essential or desirable to the public convenience.
- 19.205 Off-street parking constructed in accordance with Section 23 of these Regulations.
- 19.21 The Board may approve in any District a country and/or private club with a bona fide annual limited membership, including (a) all necessary and incidental recreational facilities and uses, as well as accessory uses, normally and customarily considered as and constituting a part of the operation of a country and/or private club; (b) and/or swimming and/or wading pools; (c) and/or golf course; provided, however, that the said club is operated for the private enjoyment of its members and their guests and shall not be open to the general public.
- 19.22 The Board may approve in any Residential District funeral homes provided that area of the lot to be used shall be not less than two acres and off-street parking constructed in accordance with Section 23.
- 19.23 The Board may approve in the B-2 Districts, automobile or truck gasoline service stations, provided that the height and area regulations for the said B-2 Districts, Section 12.03 and 12.04, are complied with.
- 19.24 The Board may approve in the B-2 Districts the storage or sale of gasoline, fuel oil, bottled gas or liquified petroleum, provided that:
- 19.241 No tank shall be permitted above ground within 300 feet of any school,



hospital or church.

19.242 Maximum storage above ground shall not exceed 30,000 gallons or its equivalent in pounds or cubic feet, for each 20,000 square feet of lot area.

19.25 The Board may approve in the R-90 to R-20 Districts nursing homes, convalescent homes, homes for the aged, hospitals, children's homes and other similar institutions.

19.26 The Board may approve in the R-90 to R-20 Districts research laboratories as defined in Section 37.24 of these Regulations operated by business or research organizations, provided that:

19.261 The lot area for such use shall not be less than 25 acres.

19.262 Building or buildings erected or to be used shall not be less than 200 feet from any property line of the lot.

19.263 Such use shall be confined to a building or buildings.

19.264 Off-street parking shall be not less than 100 feet from any property line of the lot.

19.27 The Board may approve in the R-4u and R-20 Districts a tea room or restaurant in an existing dwelling or structure and additions thereto provided that:

19.271 The minimum lot size shall be 5 acres.

19.272 Off-street parking shall be constructed in accordance with Section 23, in the amount of at least one parking space per table for four per-

sons.

- 19.273 Meals shall be served only at tables, indoors or on an outdoor terrace, and not to persons remaining in cars.
- 19.274 Building, buildings or outdoor terraces erected or to be used shall not be less than 100 feet from any street line or property line of the lot.
- 19.275 Off-street parking shall be not less than 20 feet from any street line or property line of the lot.
- 19.28 The Board may approve in the R-90 to R-20 Districts, facilities operated on a continuing basis, such as snack bar, canteen, cafeteria, necessary for the support of museums or libraries, as defined under Section 4.018. Such facilities shall be confined to the museum or library building.

The Board may impose reasonable conditions, limitations and requirements in any order or resolution approving any use under this Section to safeguard neighboring properties, in harmony with the spirit and intent of these regulations.

#### SECTION 20 - NON-CONFORMING USES

20.01 Any use which now legally exists and does not comply with the regulations of the district in which it is situated shall be known as a non-conforming use. Such use shall be confined to that part of a building or the extent of land actually used at the time of the passage of these regulations, except as hereinafter provided.

20.02 If a non-conforming use is changed to a

use of a higher classification it may not thereafter be changed to a use of a lower classification.

20.03 A non-conforming use may not be changed to a use of the same classification unless approved by the Board of Zoning Appeals, as provided in Section 30 and subject to the limitations, guides and standards as provided in Section 31.

20.04 A non-conforming use may not be extended, increased in size or changed in design and buildings may not be erected or extended on land used as a non-conforming use unless approved by the Board of Zoning Appeals, as provided in Section 30 and subject to the limitations, guides and standards provided in Section 31.

20.05 A non-conforming use, situated in the Residential Districts, which shall remain idle and unused for a continuous period of three years, shall be considered abandoned as a non-conforming use and thereafter such building or land shall not be used for a non-conforming use.

20.06 Whether a non-conforming use exists or whether a non-conforming use has been abandoned shall be a question of fact and shall be determined by the Board of Zoning Appeals after a public notice and hearing in accordance with rules of the Board.

20.07 The casual, temporary or illegal use of land or building shall not be sufficient to establish the existence of a non-conforming use.

20.08 Nothing in these regulations shall prevent the restoration of a building or part thereof destroyed by fire, wind, flood, explosion, act of the public enemy or accident, or prevent the continuance of the use thereof as such use existed at the time of such destruction of such building or part

thereof, provided a permit is obtained and reconstruction work begun within two years of the destruction or partial destruction of such building. Nothing in these regulations shall prevent the restoration of any building declared unsafe by the Buildings Engineer.

## SECTION 21 - SUPPLEMENTARY DISTRICT REGULATIONS

### 21.01 USE REGULATIONS

21.011 The parking of a trailer coach or coaches and trailer coach parks shall be excluded from all but the T-2 District, provided, however, that:

21.0111 On application to the Zoning Commissioner, a permit may be issued for the parking of one trailer coach on any lot upon which there is a dwelling, provided that such trailer coach is owned by a resident of the dwelling and shall not be occupied for dwelling or sleeping purposes and shall not be parked or stored within the front or side yards.

21.0112 On application to the Zoning Commissioner, a permit may be issued for the parking of one trailer coach on a bona fide farm for the use of farm help only, provided that such trailer coach is located within the main farm building area on such farm but in no case shall any such trailer be parked within 300

feet of a public road or an adjoining property line, and provided further such trailer shall first have approval of the Howard County Health Department as to water supply and sewerage disposal system.

21.0113 On application to the Zoning Commissioner, a permit may be issued for the parking of a trailer coach for use of a temporary field or sales office in connection with building construction or new development.

21.0114 Any permits for the parking of trailer coaches, issued by the Zoning Commissioner, under this Section, shall be for a period not exceeding one year, provided that such permit may be renewed on application to the Zoning Commissioner. Such permit shall be attached to the exterior of the trailer and shall be displayed at all times.

21.012 Where in ~~these regulations~~ <sup>this section</sup> the approval of the County Health Officer is required before the issuance of a permit, the ~~Building Engineer~~ <sup>Zoning Commissioner</sup> shall include any conditions or limitations imposed by the Health Officer in any permit issued.

## 21.02 HEIGHT REGULATIONS

21.021 The building height limitations shall not apply to spires, belfries, chimneys, cupolas, domes, flag poles,

monuments, stacks, steeples, radio or television antennae, observation towers, windmills, barns, water tanks and silos, provided any such use which exceeds 100 feet in height shall be approved by the Federal and State Aviation authorities.

21.022 The building height limitations shall not apply to parapet walls extending not more than 4 feet above the building height limit, to bulkheads, elevators, one story penthouses, water tanks or other similar structures not covering more than 25 percent of the area of the roof upon which they are situated.

21.023 Garages and accessory buildings, except as provided in Sections 21.021 and 21.022, shall not exceed a height of 15 feet.

### 21.03 AREA REGULATIONS

21.031 Cornices and eaves may project not more than three feet into any required yard.

21.032 A bay window, oriel, vestibule, balcony or chimney, which is not more than ten feet in width, may project not more than four feet into any required yard.

21.033 Porches, open or enclosed, may project not more than 10 feet into the required front or rear yard.

21.034 Where a lot has frontage on two or more streets, the required front yard shall be provided on that side

which is ordinarily regarded as the front and a yard space of one-half the front yard requirement, but not less than 25 feet, shall be provided on all other streets upon which the lot abuts.

- 21.035 Hereafter no lot shall be so reduced in area as to cause any open space required by these regulations to be less than required for the district in which such lot is situated.
- 21.036 No rear yard shall be required for garages and accessory buildings.
- 21.037 Notwithstanding other requirements of these regulations, new buildings erected on Route 144 (Main Street) between the Patapsco River and Rogers Avenue in Ellicott City, shall be required to provide a front yard equal in depth to the main part of the structure of the nearest building on the same side of the street.
- 21.038 Where there are existing buildings on the same side of a street within 200 feet of the site of a proposed building and such existing buildings are provided with front yards less than required by these regulations, the depth of the front yard required for the proposed building shall be the average of the front yard depths of all existing buildings within 200 feet of the site of the proposed building, provided however, the required front yard

- shall be not less than 25 feet deep.
- 21.039 Where there is a remaining lot of not more than 120 feet in width existing between two lots already developed with buildings which are provided with front yards less than required by these regulations, the front yard required for such remaining lot shall be the mean of the front yard depths of the two adjacent buildings, provided however, that the required front yard shall be not less than 25 feet.
- 21.0310 The requirements of these regulations with respect to lot sizes, minimum widths and yard spaces shall not apply; provided however that the requirements of the Zoning Regulations adopted January 12, 1954 with respect to front, side and rear yard spaces shall apply:
- 21.03101 To any lot described in a deed or other recorded instrument.
- 21.03102 To any lot of certain identity covered by a contract of sale.
- 21.03103 To any lot of certain identity covered by a bona fide agreement to sell and evidenced by a survey or other adequate memoranda, where such deed, recorded instrument, contract of sale, agreement, survey or other adequate memoranda existed at the time of the adoption of these regulations.



21.03104 To any lot submitted to the Planning Commission for approval prior to the adoption of these regulations, provided however, that such lots shall comply with the Planning and Zoning Regulations existing at the time of submission.

#### 21.04 SIGN REGULATIONS

Except as otherwise provided in Section 19, (Uses limited as to location) advertising sign or signs shall be erected or displayed only as follows:

21.041 Customary home occupations as defined in Section 4.022. One non-illuminated sign, not exceeding two square feet in area, advertising the home occupation, may be displayed on the property whereon the home occupation is conducted and provided that the yard requirements herein contained are complied with.

21.042 Professional Office as defined in Section 4.023. One sign, not exceeding two square feet in area, may be displayed from the premises.

21.043 Road Side Stands are defined in Section 4.025. One non-illuminated sign, not exceeding 12 square feet in area may be displayed from such stand.

21.044 For Sale, Etc. Signs in any District. Non-illuminated signs advertising for sale, rent or lease the specific property upon which such sign is situated, may be displayed

provided such signs shall not exceed an area of 50 square feet.

21.045 Ornamental signs in any district, not exceeding 50 square feet in area, containing name of farm, breed or type of animals, or particular types of crops raised thereon or the name only of a subdivision or development, may be displayed, provided such signs are placed so as not to obstruct the vision of motorists using highways. Such signs may be illuminated by indirect lighting only, including beaded reflector type, shadow box or floodlights, lighting fixtures not to exceed 10 candlepower shall be so placed so as to shine directly upon the surface of the sign, not in the line of sight of oncoming motorists or into adjacent residential property. Provided that such sign may be increased 50 square feet in area for each 100 feet of additional set back from road right-of-way line over 100 feet.

21.046 Directional or information signs of a public or quasi-public nature. Such signs shall contain no advertising matter, and shall not be illuminated, but may be of the beaded reflector or indirect illuminated shadow box type. They may state:

21.0461 Name or location of a community or of a public or quasi-public

institution or other building, or the name or place of meeting of an official or civic body, such as a Chamber of Commerce or Rotary or Kiwanis Club. Such signs shall not exceed 15 square feet in area.

21.0462 Temporary signs noting an event of general interest such as a county fair, public or general election, horse show, etc. Such sign shall be removed within ten days after the event. Such signs shall not exceed 24 square feet in area.

21.047 Business Signs in B-1 Districts advertising only the business conducted or the products sold on the premises, provided such signs shall be attached to the building and shall not project more than 6 feet therefrom, and sign area shall be limited to a square foot area equal to the width of the front of the building times three, provided that a building fronting on two streets may be permitted the sign area applicable to each side of the building fronting on the street.

21.048 A temporary real estate sign, not exceeding 100 square feet in area, advertising the opening of a new subdivision within which such sign is located. One additional sign may be erected for each 500 feet of frontage in the same ownership, except that if V-shaped signs are used

the distance between signs shall be not less than 1,000 feet. Such signs shall not be erected within 100 feet of any existing principal building on premises adjoining the subdivision on the same side of the street. The sign shall be removed not later than three years after its date of erection, unless permit for such sign is renewed within 30 days after expiration date.

- 21.049 Business signs in B-2 Districts for commercial businesses shall be the same as B-1 Districts, except that one sign not to exceed 100 square feet in area, advertising the name of the business only, may be permitted within the required front yard, provided that a building fronting on more than one street may be permitted such a sign within the required yard area along each street.
- 21.0410 Business signs in S-C Districts shall be the same as B-1 Districts, except that one additional sign, not exceeding 200 sq. ft. in area containing the name of the shopping center, may be placed at any location within the boundaries of the project, provided however, that no illuminated sign shall be erected within 100 ft. of any residential district.
- 21.0411 Business signs in the T-1 and T-2 Districts, one sign not ex-

ceeding 100 sq. ft. in area, advertising only the business conducted may be permitted in the required front yard area provided that a building fronting on more than one street may be permitted such a sign within the required yard along each street.

- 21.0412 Directional signs, not more than four in number and each not exceeding 24 feet in sign area, may be displayed, advertising a place of business conducted within Howard County, such signs shall be located in a [REDACTED], B-2, M-1 or M-2 District, and shall contain only the name and address of the business, the distance and a directional arrow.
- 21.0413 The reverse side of a sign structure may be used for same advertising purposes provided that both sign surfaces are erected on the same up-rights and the perimeter of both surfaces are on the same plane and every part of the advertising surfaces of both sides are not more than 24 inches apart.
- 21.0414 All signs projecting more than 6 inches from a building shall be not less than 9 feet above the level of the sidewalk. All signs within any required yard area shall be erected in such a manner so as not to interfere or obstruct the vision of motorists as to other traffic

and in no case shall any sign except those directional or informational signs of a public or quasi-public nature as may be permitted by these regulations, be located within the right-of-way of any public road.

## SECTION 22 - GENERAL REGULATIONS

- 22.01 Unless a permit has been issued and work is substantially under way within one year from the date an application is approved by the Board of Appeals, such approval of the Board and the permit issued pursuant thereto shall become null and void unless on written request from the applicant, the Board grants an extension, provided, however, that not more than one such extension, for a period of one year, may be granted.
- 22.02 The costs for posting property and other costs necessary for filing and completing an appeal to the Board of Appeals shall be borne by the applicant for the permit.

## SECTION 23 - PARKING SPACE REQUIREMENTS

- 23.01 For the following uses of buildings hereafter erected, or increased in size by as much as 20 percent of the size existing at the time of the adoption of these regulations, or for uses hereafter established, off-street parking facilities, consisting of a paved area with ingress and egress to an approved street, shall be required on the same lot housing the building or use as follows:
- 23.011 Hospitals, nursing homes, conval-

- escent homes and the like, one car space for each two beds, plus one car space for each two employees.
- 23.012 Tourist homes and rooming houses, one car space for each guest room, plus one car space for each two employees, plus one car space for each family housed.
- 23.013 Hotels or motels, one car space for each guestroom, plus one car space for each two employees.
- 23.014 Theatres, churches, auditoriums or meeting halls, car spaces equal in number to one-fourth of the seating capacity.
- 23.015 Restaurants and lunch rooms, one car space for each 100 sq. ft. of the total floor space devoted to such use.
- 23.016 Retail stores, one car space for each 100 square feet of floor space used for sales area.
- 23.017 Manufacturing plants or other factories or plants except retail outlets, one car space for each two employees.
- 23.018 Office buildings, one car space for each two people occupying the buildings as tenants or employees.
- 23.019 Funeral homes, five parking spaces for each parlor.
- 23.0110 Parking spaces shall be required for all commercial buildings or uses, and where not specifically listed in this section, car space re-

quirements shall be determined by the application of the requirements for the use nearest in character to the proposed use.

23.0111 Where a private pool is used in conjunction with a country club and/or a private club, there shall be one car space for every four memberships thereof.

23.02 A car space shall be a usable area of not less than 200 square feet, paved with a hard, dust-proof surface. Such space shall be accessible from an approved street.

#### SECTION 24 - PERMITS REQUIRED

After the adoption of these regulations:

24.01 No building shall be constructed, reconstructed, altered or extended; no signs shall be erected, illuminated or increased in size until a permit has been issued by the Buildings Engineer. Applications for permits shall be filed with the Buildings Engineer but no permit shall be issued until approved by the Zoning Commissioner or the Board of Appeals or upon order of Court.

24.02 No new building shall be occupied or used for any purpose or any existing use of any land or of any building changed until a certificate of occupancy is issued by the Zoning Commissioner or the Board of Zoning Appeals, or upon order of Court.

24.03 No building permit shall be issued by the Buildings Engineer, where an entrance, driveway and/or drainage structure will connect with a county road, until a certifi-



icate of approval for the location and design of such construction has been issued by the County Road's Department and no certificate of occupancy shall be issued by the Zoning Commissioner until the construction is completed and approved by the Howard County Road's Department.

#### SECTION 25 - ZONING COMMISSIONER

The County Commissioners shall appoint a Zoning Commissioner for Howard County. He shall be fitted by training, education and experience to perform such duties as may be required of him under these regulations. He shall be a resident of Howard County or shall become a resident within one year of his appointment.

#### SECTION 26 - ENFORCEMENT

26.01 The Zoning Commissioner shall be the Enforcement Officer of these regulations. He shall examine all applications for permits and shall approve or disapprove such applications in accordance with these regulations.

26.02 Upon receipt of information, and upon verification by the Zoning Commissioner, that any of these regulations are being violated, the Zoning Commissioner shall notify in writing the person or persons responsible for such violation indicating the sections of these regulations which are being violated and ordering the necessary steps to abate such violation. The Zoning Commissioner shall order the discontinuance of the use of land or building; removal of any

building, addition, sign or other structure; the discontinuance of any work being done in violation of these regulations .

#### SECTION 27 - PENALTY FOR VIOLATION

Any person who shall erect, construct, extend, alter or add to any building, or convert or use any building or land, or change the use of any land or building, in violation of these regulations, or who shall fail to secure the permit required by these regulations, or who shall fail to remove any building, sign or other structure or discontinue the use of land or building erected or being used in violation of these regulations, when ordered to do so by the Zoning Commissioner, and any person who shall fail to comply with any reasonable requirement of the Board of Zoning Appeals or Zoning Commissioner in the administration and enforcement of these regulations shall be guilty of a misdemeanor and, upon conviction by a court of competent jurisdiction, shall be fined not more than one hundred dollars, provided however, that every day such violation shall continue shall be deemed a separate offense.

#### SECTION 28 - REMEDIES OF ZONING COMMISSIONER

In addition to other remedies, the Zoning Commissioner may institute any appropriate action or proceedings to compel compliance with any of these regulations .

#### SECTION 29 - BOARD OF ZONING APPEALS

29.01 The Board of Zoning Appeals is hereby established. It shall consist of three members who shall be appointed by the Commissioners of Howard County for a term of

three years, provided however, that of the first appointed members one shall be appointed for a term of one year, one for a term of two years and one for a term of three years. One member shall be designated by the Commissioners as Chairman. Annually thereafter the Commissioners shall appoint one member to succeed the member whose term has expired. Vacancies shall be filled by the Commissioners for the unexpired term of any member whose place becomes vacant.

29.02 The members of the Board shall serve without compensation except reasonable expenses as shall be authorized by the County Commissioners.

29.03 Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. Such chairman or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

29.04 Appeals to the Board of Appeals may be taken by any person aggrieved, or by any officer, department, board or bureau of the County affected by any decision of the Zon-

ing Commissioner. Such appeal shall be filed not later than fifteen days from the date of the action of the Zoning Commissioner and shall state the reasons for the appeal.

29.05 Except as herein provided, if an application is disapproved by the Board of Appeals, thereafter the Board shall take no further action on another application for the same or substantially the same proposal on the same premises until after twelve months from the date of the last disapproval. Provided however, that a subsequent application for the same or substantially the same proposal on the same premises may be filed at the expiration of six months of the date of the hearing last held as to the same proposal and premises if accompanied by an affidavit setting forth new and different grounds, which the applicant believes would be sufficient for the approval of the proposal contained in the application. After having considered the said application and the facts alleged in the accompanying affidavit, the Board may, after the notice required herein, grant another hearing, provided it is satisfied that new and different grounds or conditions exist which would have a bearing on the consideration of said proposal and would justify another hearing.

29.06 An appeal to the Board shall not stay proceedings by the Zoning Commissioner for a period longer than fifteen days. If, however, at the end of the fifteen day period the matter is scheduled for hearing before

the Board, the Zoning Commissioner shall take no action until the Board acts or until fifteen days after the date of the hearing, whichever comes first.

- 29.07 The Board of Appeals shall fix a reasonable time for the hearing of the appeal, cause the property in question to be posted, and decide the issues raised within a reasonable time.
- 29.08 The Board may adopt rules for the efficient administration of these regulations and shall make them available to the public. However, such rules shall in no wise contravene the provisions of these regulations or the Enabling Act.

**SECTION 30 - POWERS OF THE BOARD OF APPEALS**  
Subject to the limitations, guides and standards provided in Section 31, the Board of Zoning Appeals shall have the following powers:

- 30.01 To approve any use of land or building not permitted as a matter of right in the M-2 District where the Board finds the proposed use would not menace the public health, safety, morals, or general welfare of the community or would prevent the most appropriate use of land, provided however, that no land or building shall be used for any of the following uses within 500 feet of any Residential District.
- 30.011 Ammonia manufacture.
- 30.012 Aniline dyes manufacture.
- 30.013 Animal or fish glue, gelatine or size manufacture.
- 30.014 Bulk storage of more than 30,000

- gallons of oil or petroleum products,  
per 20,000 square feet of lot area.
- 30.015 Cement manufacture.
  - 30.016 Chlorine, or hydrochloric, nitric,  
picric, sulphuric or sulphurous acid  
manufacture.
  - 30.017 Fertilizer manufacture.
  - 30.018 Fireworks or explosive manufacture.
  - 30.019 Junk yards or shops.
  - 30.0110 Magnesium foundries.
  - 30.0111 Manufacture of coal, coke and tar  
products including gas manufacture.
  - 30.0112 Manufacture of nitrates.
  - 30.0113 Manufacture or refining of petrol-  
eum or asphalt, or any of their prod-  
ucts.
  - 30.0114 Match manufacture.
  - 30.0115 Paint, oil, varnish, lacquer, shel-  
lac or turpentine manufacture.
  - 30.0116 Refuse or garbage dump or incin-  
eration of garbage or trash.
  - 30.0117 Rendering plant.
  - 30.0118 Rubber processing or manufacture,  
natural or synthetic.
  - 30.0119 Saw or planing mills.
  - 30.0120 Garbage disposal plants.
  - 30.0121 Soap manufacture, including fat  
rendering.
  - 30.0122 Slaughter houses, except such  
slaughtering as is usually and cus-  
tomarily done on a farm.
  - 30.0123 Tannery.
  - 30.0124 Wood and bones distillation.

Before the Board of Appeals approves any use un-  
der this Section, it shall refer the matter to the

County Health Officer for a report concerning the health hazard, if any, involved. The Board may impose such reasonable safeguards and conditions in any application approved under this Section as will protect the surrounding properties and encourage the most appropriate use of land in harmony with the purpose and intent of these regulations.

30.02 To authorize the change of a non-conforming use to a use of the same classification provided:

30.021 That where a non-conforming use is being operated or conducted in a building which is designed as a dwelling, no changes in the design of such building so as to give it the appearance of a commercial building, shall be permitted.

30.022 That the Board shall find that the emission of odors, dust, gas, smoke, fumes, glare, vibration, or noise shall be no greater for the proposed use than for the existing use.

30.023 That the Board shall find that the proposed use will not generate a greater volume of traffic than the existing use.

30.03 To authorize variances from these regulations where, by reason of the narrowness, shallowness, or irregular shape of the lot or by reason of exceptional topographical conditions or other exceptional situations peculiar to the lot, practical difficulty or unnecessary hardship results. Before granting such a variance, the Board shall make a written finding as a part of the record that the

condition or situation, described in detail, is peculiar to the lot and that this condition or situation causes the difficulty or hardship and that the variance can be granted without impairment to the purpose and integrity of these regulations.

30.04 To authorize temporary uses of land, in any district, for a period not exceeding thirty days provided the land shall be entirely cleared within five days after such temporary authority expires.

30.05 To hear and decide appeals where it is alleged the Zoning Commissioner has erred in the interpretation or application of any of these regulations.

30.06 Because of the shallowness and irregular shape of the lots and the exceptional topographical conditions existing along Route 144 in Ellicott City (Main Street) between the Patapsco River and Rogers Avenue, the Board of Zoning Appeals may, in cases where it is exceptionally difficult, if not impossible, to comply with the exact area, height and parking space requirements of these regulations, make such variation as will prevent unwarranted hardship or injustice and at the same time most nearly accomplish the purpose and intent of these regulations.

30.07 In addition to the uses permitted in the Residential Districts, the Board of Zoning Appeals may approve applications for professional and business offices under the following conditions:

30.071 The applicant shall submit to the Board of Zoning Appeals at their hearing before said Board for their approval and to be made part of their order if such application is granted:



- 30.0711 With application for professional and business offices in existing buildings, building plans showing any and all changes in the exterior of such building including any additions thereto.
- 30.0712 With applications for a new business and professional office building, complete site plans and architectural plan showing design and layout.
- 30.0713 No building shall be altered or erected with a store front or designed for any use other than the uses permitted in the R-90 District, except as provided in this Section.
- 30.0714 No merchandise shall be stored on or sold from the premises and no equipment or machinery shall be stored or used in the building or on the lot, except equipment and machinery customarily used in professional and business offices.
- 30.0715 No advertising shall be permitted except that for each professional person or business office housed in a building, one non-illuminated name plate, not exceeding 200 square inches in area, placed flat against the front of the building.
- 30.08 To approve uses limited as to location as provided in Section 19.
- 30.09 To authorize the extension or the enlargement of a building or structure having a non-conforming use, provided:

- 30.091 That the extension involves the same use as existing at the time of the adoption of these regulations.
- 30.092 That the extension shall not exceed 100% of the gross floor area of the non-conforming use as it existed at the time of the adoption of these regulations.
- 30.093 That when a 100% increase in the gross floor area of the non-conforming use as it existed at the time of the adoption of these regulations has been granted, no further extension shall be permitted and the Board of Zoning Appeals shall have no power to grant such further extension.
- 30.094 That no extension to a non-conforming use shall be granted where the proposed extension would result in a violation of the area or height requirements of these regulations.
- 30.10 To grant the extension of the non-conforming use of land provided such extension shall not exceed 20% of the area covered by the non-conforming use at the time of the adoption of these regulations.
- 30.11 To authorize the operation of a Post Office Sub-Station in any district.

#### SECTION 31 - LIMITATIONS, GUIDES AND STANDARDS

Where in these regulations certain powers are conferred upon the Board of Appeals, or the approval of the Board of Appeals is required before a permit

may be issued, or the Board is called upon to decide certain issues, such Board shall examine the specific property involved and the neighborhood, cause the property to be posted, hold a public hearing, and consider all testimony and data submitted, and shall hear any person for or against the issuance of the permit. However, the application for permit shall not be approved where the Board finds the proposed building, addition, extension of building or use, sign, use or change of use would menace the public health, safety, security, morals or general welfare, or would result in dangerous traffic conditions, or would jeopardize the lives or property of people living in the neighborhood. In deciding such matters the Board shall give consideration, among other things, to the following:

- 31.01 The number of people residing, working or studying in the immediate areas.
- 31.02 Traffic conditions including facilities for pedestrians, such as sidewalks and safety zones and parking facilities available and the access of cars to highways.
- 31.03 The orderly growth of the community.
- 31.04 The reasonable needs of the entire community and particular neighborhoods.
- 31.05 The purpose of these regulations as provided in Sections 1 and 2.
- 31.06 The effect of odors, dust, gas, smoke, fumes, vibration, glare and noise upon the use of surrounding properties.

- 31.07 Facilities for sewers, water, trash and garbage collection and disposal and the ability of the County to supply such services.
- 31.08 Availability of fire-fighting equipment.
- 31.09 Decisions of the Circuit Court for Howard County and the Court of Appeals of Maryland.
- 31.10 The effect of such use upon the peaceful enjoyment of people in their homes.
- 31.11 The most appropriate use of land and structure.
- 31.12 The type and kind of structures in the vicinity where people are apt to gather in large numbers such as schools, churches, theatres, hospitals and the like.
- 31.13 As developed, the master plans for highways, parks, schools, sewers, water, population, recreation and the like.

## SECTION 32 - COURT REVIEW

- 32.01 Any person, persons, taxpayer, officer, department, board or bureau of the County, jointly or severally aggrieved by any decision of the Board of Appeals, may appeal to the Circuit Court for Howard County by petition, duly verified, setting forth that such decision of the Board is illegal, in whole or in part, specifying the grounds of the illegality.
- 32.02 Appeals to the Circuit Court shall be filed within thirty days from the day upon which the Board decides the matter from which the appeal is taken.
- 32.03 The Court shall grant the Board of Appeals and other proper parties a reasonable time

to answer and shall require either the original papers or certified copies thereof, which constituted the entire record before the Board, to be filed with the Board's answer.

- 32.04 The Court may hear the appeal on the record, or if, in the opinion of the Court, additional testimony is required for the proper disposition of the case, the Court may permit either or both sides to present additional testimony.
- 32.05 The Court shall hear the case without the intervention of a jury.
- 32.06 The Court may modify, reverse or affirm, wholly or partly, or may remand for further consideration, any decision of the Board of Appeals. When a case is remanded for further consideration, the testimony, if any, taken in Court, shall be made available to the Board. The costs of preparing such testimony shall be made a part of the costs of the case.
- 32.07 An appeal may be taken from the determination of the Circuit Court to the Court of Appeals of Maryland.

### SECTION 33 - AMENDMENTS

- 33.01 These regulations, restrictions and provisions and the boundaries of the districts may from time to time be amended, supplemented, changed, modified or repealed by the County Commissioners. However, no change or amendment shall become effective until after a public hearing in relation thereto, at which parties in interest and

citizens shall have an opportunity to be heard. At least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation throughout the County, and if the proposed amendment involves a change in a zoning district boundary line, the property involved shall be posted, as directed by the County Commissioners, for a period of 15 successive days immediately preceding the hearing.

- 33.02 The County Commissioners shall refer all proposed changes and amendments to these regulations or proposed changes in the zoning districts to the Planning Commission for report and recommendations.
- 33.03 Before acting upon proposed changes and amendments to these regulations or changes in the zoning district boundary lines, the County Commissioners shall consider the following:
  - 33.031 The purpose of these regulations as outlined in Section 1.
  - 33.032 The matters considered in establishing the zoning districts as outlined in Section 2.
  - 33.033 The report and recommendations of the Planning Commission.
  - 33.034 Whether there have been any substantial changes in or near the area covered by a proposed change in the district boundary lines.
  - 33.035 Any new phases of the Master Plan for Howard County developed since the adoption of these regulations.

- 33.04 The Planning Commission shall study zoning, its development, application and relation to public and private development and its relation to other phases of the Master Plan for the development and orderly growth of Howard County, and may, from time to time, submit amendments to these regulations or changes in the district zone lines to the Commissioners of Howard County. However, no such amendment or change shall become effective until approved by the County Commissioners as required by this Section.
- 33.05 If a petition for a change in a Zoning District boundary line is disapproved by the County Commissioners, thereafter the County Commissioners shall take no further action on another petition for the same or substantially the same proposal on the same premises until after eighteen months from the date of the last disapproval. Provided however, that a subsequent petition for the same or substantially the same proposal on the same premises may be filed at the expiration of six months of the date of the hearing last held if accompanied by an affidavit setting forth new and different grounds, which the petitioner believes would be sufficient for the approval of the proposal contained in the petition. After having considered the said petition and the facts alleged in the accompanying affidavit, the County Commissioners may, after the notice required herein, grant another hearing, provided it is satisfied that new and different

grounds or conditions exist which would have a bearing on the consideration of said proposal and would justify another hearing.

#### SECTION 34 - VALIDITY

In case it be judicially determined that any word, phrase, clause, item, sentence, paragraph or section of these regulations or the application thereof to any person or circumstance, is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, the County Commissioners of Howard County hereby declaring that they would have adopted the remaining regulations without the word, phrase, clause, item, sentence, paragraph or section, or the application thereof, so held invalid.

#### SECTION 35 - INTERPRETATION

These regulations shall be considered the minimum requirements adopted for the promotion of health, safety, morals, comfort, prosperity and general welfare of the people of Howard County. While other counties and urban communities have widely different zoning requirements, the zoning regulations contained herein are designed for Howard County, a growing but still vastly rural community. Where private building restrictions in recorded deeds are greater than those imposed by these regulations, they are not superseded by these regulations.

#### SECTION 36 - REPEAL

The zoning regulations and restrictions adopted the 12th day of January, 1954, all amendments thereto



and any laws of Howard County inconsistent with these regulations are hereby repealed.

## SECTION 37 - DEFINITIONS

Certain terms and words used in these regulations are defined as follows:

- 37.01 Words used in the present tense include the future tense, words in the singular number shall include the plural number; words in the plural number shall include the singular number; the words "use" and "used" include the words "arranged, designed or intended for use"; the word "shall" is always mandatory and not directory; "now" shall mean at the time of the adoption of these regulations; "hereafter" shall mean after the adoption of these regulations.
- 37.02 ACCESSORY BUILDING. A separate subordinate building, the use of which is incidental to that of the principal use on the same lot.
- 37.03 ADVERTISING SIGN OR SIGNS, shall include all types of advertising including billboards, advertising matter painted or pasted on walls, fences, trees and every other device designed to attract attention to a product or thing.
- 37.04 APARTMENT. An area within a structure arranged or designed for occupancy by one family.
- 37.05 APARTMENT HOUSE. Any building arranged, designed or used to house more than two families.
- 37.06 APPROVED STREET. Any street approved at any time by the Planning Commission. The

- word "street" shall include the words, "road", "highway", "boulevard", "avenue".
- 37.07 BOARD OR BOARD OF APPEALS. The "Board" or the "Board of Appeals" refers to the Board of Zoning Appeals.
- 37.08 BUILDING. Any structure or construction of any kind, including signs, accessory buildings, additions or extensions, provided however, that any fence not more than 3 feet in height and open fences, such as wire, post and rail or paddock fence not more than 5 feet in height, shall not be considered a building.
- 37.09 DOG KENNELS. Provisions for boarding dogs or provisions for breeding dogs for sale.
- 37.10 DWELLING. Any building arranged, designed or used in whole or in part, to house a family. The word "dwelling" shall include the word "residence".
- 37.11 ERECTED. Constructed, reconstructed, relocated, built or rebuilt.
- 37.12 FAMILY. A person living alone, or two or more persons living together as a house-keeping unit, with separate identity from other persons or groups in the same structure, having cooking facilities as a part of the area designated for his or their use.
- 37.13 FRONT YARD. A yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the building. The depth of a front yard shall be measured at right angles to the front line of the lot.
- 37.14 HEIGHT OF BUILDING. The vertical dis-

tance from the average grade adjoining the walls of the building, to the highest point of the roof surface of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge for a gable, hip or gambrel roof.

- 37.15 HOTEL. Any building or portion thereof which contains guestrooms designed or intended to be used, let or hired out for occupancy by twenty or more individuals for compensation.
- 37.16 JUNK YARDS OR SHOPS. Any open space or building, or both, where scrap metals, bottles, rags, including new clippings, rubber paper or any discarded material of any kind is stored, handled, baled, packed, sold or reconditioned or where motor vehicles are dismantled or wrecked or wrecked motor vehicles or parts are stored.
- 37.17 LOT. A lot is a parcel of land now or hereafter laid out and occupied or intended to be occupied by one building and permissible accessory uses and buildings, including such open spaces as are required by these regulations.
- 37.18 MOTELS OR TOURIST CABINS. A building with more than one apartment or group of buildings which:
- a. Contain living or sleeping accommodations for transient occupancy.
  - b. Have individual entrances.
- 37.19 REAR YARD. A yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building. The depth of the rear yard

- shall be measured at right angles to the rear line of the lot.
- 37.20 SHOPPING CENTER. Five or more commercial buildings with uses permitted in the S-C area, erected under one master plan.
- 37.21 SIDE YARD. A yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the extent of the required rear yard. The width of a side yard shall be measured at right angles to the side line of the lot.
- 37.22 WIDTH OF LOT. The width of a lot shall be measured at the front building line and parallel to the front lot line.
- 37.23 YARD. An open space on the same lot with a building which lies between the building and the lot line and is open and unoccupied from the ground up.
- 37.24 RESEARCH LABORATORY. Building or buildings used for the inquiry and investigation in the effort to find new information in any scientific field by experiment or by investigation of sources and limited to the test tube and bench phase of the inquiry; not including, however, any type of pilot plant or manufacturing processes.
- 37.25 FARMING. Commercial agricultural uses in general, and specifically crop, dairy, stock, poultry, tree farming and horticultural nurseries; including commercial greenhouses located on five acres or more.
- 37.26 TRAILER COACH. A unit designed for human occupancy, which at any time was mobile.

# INDEX

	Section	Page
Accessory building - Def.	37.02	103
- Height	21.023	76
Accessory uses - R-90	4.02	4
R-40	5.02	7
R-20	6.02	8
R-A-1	7.02	12
R-A-2	8.02	17
T-1	9.02	21
T-2	10.02	23
B-1	11.02	25
B-2	12.02	28
S-C	13.02	30
M-R	14.02	36
M-1	15.05	53
M-2	16.05	57
Advertising signs - Def.	37.03	103
Regulations	21.04	79
P.U.	11.012	24
P.U.	12.012	26
P.U.	15.012	50
Area regulations - R-90	4.04	5
R-40	5.04	7
R-20 - water and sewage not provided	6.04	8
R-20 - water and sewage provided	6.05	9
R-20 - water only provided	6.06	10
R-A-1	7.04	13
R-A-2	8.04	18
T-1	9.04	21
T-2	10.04	23
B-1	11.04	25
B-2	12.04	28
S-C	13.04	30
M-R	14.04	37
M-1	15.02	53
M-2	16.02	56
Aircraft, manufacture or assembly	16.012	55
Airport - S.P.	19.05	60
Alcoholic beverage - Package store - P.U.	13.0113	30
Retail store - P.U.	11.015	24
Manufacture	16.014	55
Tavern - P.U.	12.0116	28
Amendments	33.	99
Ammonia manufacture - S.P.	30.011	91
Amusement park	12.013	26

---

S.P. - Special Permit	P.U. - Permitted Use
A.U. - Accessory Use	Def. - Definition
Res. - Residential	

## INDEX

	Section	Page
Animal or fish glue - S.P.	30.013	91
Animal hospital - S.P.	19.17	66
Animal slaughter - S.P.	30.0122	92
Aniline dyes manufacture - S.P.	30.012	91
Antique shop - S.P.	19.15	65
Apartment - Def.	37.04	103
S.P.	19.09	62
Apartment house - Def.	37.05	103
P.U.	7.01	11
P.U.	8.01	17
Appeals - Board of Zoning Appeals	29.04	89
Circuit Court	32.02	98
Court of Appeals	32.07	99
Approved street - Def.	37.06	103
Area regulations - Supplementary	21.03	76
Art schools	11.013	24
Auction market, livestock - S.P.	19.12	63
Automobile assembly - P.U.	16.013	55
Parking lot B-1 - P.U.	11.017	24
Parking lot S-C - P.U.	13.011	29
Sales, repair & service - P.U.	12.015	27
Gasoline service station - S.P.	19.24	70
Dismantling, salvaging, wrecking - S.P.	30.019	92
Gasoline service station - P.U.	13.018	29
Asphalt manufacture - S.P.	30.0113	92
Bakery - B-1 - P.U.	11.019	25
S-C - P.U.	13.012	29
M-1 - P.U.	15.013	51
Bank - P.U.	11.0110	25
P.U.	13.013	29
Barber shop - P.U.	11.014	24
P.U.	13.0110	29
Beauty parlor - P.U.	11.014	24
P.U.	13.0110	29
S.P. in Res. Dist.	19.20	69
Beverage bottling and manufacture - P.U.	16.014	55
Billboard - P.U.	15.012	50
Billiard parlor - P.U.	13.014	29
Bituminous mixing plant - P.U.	16.0121	56
Board and rooms - A.U.	4.026	5
Boarding houses - P.U.	11.0111	25
S.P.	19.11	63
Board of Zoning Appeals - Appointment	29.01	88

---

S.P. - Special Permit    P.U. - Permitted Use  
 A.U. - Accessory Use    Def. - Definition  
 Res. - Residential

# INDEX

	Section	Page
Board of Zoning Appeals (cont'd.) -		
Powers	30.	91
Limitation, guides and standards	31.	96
Court Review	32.	98
Bones - Distillation - S.P.	30.0124	92
Manufacture from previously prepared - P.U.	14.018	35
Bookbinding - P.U.	15.014	51
Bottled gas - Storage - P.U.	16.015	55
Bottling - Non-alcoholic - P.U.	14.013	35
P.U.	15.0120	51
Alcoholic - P.U.	16.014	55
Bowling alley - P.U.	12.016	27
P.U.	13.014	29
Brass works - P.U.	16.016	55
Brewery - P.U.	16.014	55
Broom manufacture - P.U.	15.015	51
Bronze works - P.U.	16.016	55
Brush manufacture - P.U.	15.015	51
Building - Def.	37.08	104
Building & Loan Association - P.U.	11.0110	25
P.U.	13.013	29
Building supplies - P.U.	12.0112	27
Building permit	24.01	86
Bulk storage - Oil or petroleum - P.U.	16.017	55
- S.P.	30.014	91
Business - 1	11.	24
Business - 2	12.	26
Business schools - P.U.	11.013	24
Business & professional offices - B-1 - P.U.	11.016	24
S-C - P.U.	13.015	29
Res. Dist. - S.P.	30.07	94
Cabins, tourist - P.U.	9.012	20
Canvas products - P.U.	14.018	35
Carnivals - P.U.	4.012	3
Cellophane products - P.U.	14.018	35
Cement manufacture - S.P.	30.015	92
Cemeteries - S.P.	19.04	60
Ceramic products - P.U.	15.017	51
Certificate of occupancy	24.02	86
Change of non-conforming use	30.02	93
Chinchilla raising - S.P.	19.16	66
Church or convent - P.U.	4.013	3
Cloth products - P.U.	14.018	35
Clothing manufacture - P.U.	15.019	51

---

S.P. - Special Permit    P.U. - Permitted Use  
 A.U. - Accessory Use    Def. - Definition  
 Res. - Residential

## INDEX

	Section	Page
Clubs - Country & private - S.P.	19.21	70
Non-profit - S.P.	19.10	63
Clubs and lodges - P.U.	11.0113	25
Coal & coke products manufacture - S.P.	30.0111	92
Commissioner - Zoning - Appointment	25.	87
Enforcement	26.	87
Penalty for Violation	27.	88
Remedies	28.	88
Community Hall - B-1 - P.U.	11.0112	25
S-C - P.U.	13.016	29
Res. - S.P.	19.10	63
Concrete Products - P.U.	15.0136	52
Construction equipment storage & sales - P.U.	12.015	27
Convalescent homes - S.P.	19.25	71
Cork products - P.U.	14.018	35
Costs - Posting of property, etc.	22.02	84
Court Review	32.	98
Coverage of lot - R-90	4.045	6
R-40	5.045	8
R-20	6.045	9
R-A-1	7.047	15
R-A-2	8.046	20
T-1	9.0425	22
T-2	10.0425	24
B-1	11.045	26
B-2	12.04	28
S-C	13.042	31
M-R	14.042	37
M-1	15.021	53
M-2	16.021	56
Dairy products, storage of prepared - P.U.	12.0114	27
Definitions	37.	103
Department store - P.U.	13.017	29
Directional signs - Res. Dist. - S.P.	19.19	68
Business - P.U.	21.0411	82
Public - P.U.	21.046	80
Dismantling automobiles - S.P.	30.019	92
Dog Kennel - Def.	37.09	104
Commercial breeding and boarding - S.P.	19.08	61
Driveway permit	24.03	86
Drug store - P.U.	11.015	24
P.U.	13.011	30
Drugs manufacture - P.U.	14.017	35
Dry cleaning - P.U.	14.016	35
<hr/>		
S.P. - Special Permit    P.U. - Permitted Use	15.0117	51
A.U. - Accessory Use    Def. - Definition	15.0111	51
Res. - Residential		



# INDEX

	Section	Page
Dry cleaning plant - P.U.	15.0117	51
Dry food manufacture - P.U.	15.0111	51
Dwelling - Def.	37.10	104
Dyeing, cleaning, pressing - P.U.	14.016	35
Ellicott City - Special variances	30.06	94
Enforcement	26.	87
Entrance permit	24.03	86
Erected - Def.	37.11	104
Exceptions - Height	21.02	75
Area	21.03	76
Explosives manufacture - S.P.	30.018	92
Extension of non-conforming use - Building	30.09	95
Land	30.10	96
Family - Def.	37.12	104
Farming - Def.	37.25	106
P.U.	4.014	3
Fence - Building Def.	37.08	104
Fertilizer manufacture - S.P.	30.017	92
Fuel oil, storage or sales - S.P.	19.24	70
Fire works manufacture - S.P.	30.018	92
Fire houses - P.U.	4.015	4
Floor space requirements - R-90	4.046	6
R-40	5.046	8
R-20	6.046	9
R-A-1	7.048	15
R-A-2	8.047	20
Apartments - S.P.	19.095	62
Front yard	37.13	104
Funeral homes - S.P.	19.22	70
Garages - Height, private garage	21.023	76
Parking - P.U.	11.017	24
Repair - P.U.	12.015	27
Garbage dump or incineration - S.P.	30.0116	92
Garbage disposal plant - S.P.	30.0120	92
Gas, bottled, storage or sales - S.P.	19.24	70
Gasoline service station - B-2 - S.P.	19.23	70
S-C - P.U.	13.018	29
M-1 - P.U.	15.0113	51
Gasoline, storage or sales	19.24	70
General regulations	22.	84
Glass products manufacture - P.U.	15.0114	51
Golf course - P.U.	4.016	4

---

S.P. - Special Permit      P.U. - Permitted Use  
 A.U. - Accessory Use      Def. - Definition  
 Res. - Residential

## INDEX

	Section 31.	Page 96
Guides		
Height of buildings - Def.	37.14	104
Height of garages & accessory buildings	21.023	76
Height regulations - R-90	4.03	5
R-40	5.03	7
R-20	6.03	8
R-A-1	7.03	12
R-A-2	8.03	18
T-1	9.03	21
T-2	10.03	23
B-1	11.03	25
B-2	12.03	28
S-C	13.03	30
M-R	14.03	36
M-1	15.03	53
M-2	16.03	56
Height regulations supplementary	21.02	75
Hospital - S.P.	19.25	71
Hotel - Def.	37.15	105
P.U.	12.0111	27
Household service shops - P.U.	11.014	24
Interpretation	35.	102
Jewelry manufacture - P.U.	15.0116	51
Junk yards - Def.	37.16	105
M-2 - S.P.	30.019	92
Laundry plant - P.U.	15.0117	51
Libraries - P.U.	4.018	4
Limitation, guides and standards	31.	96
Livestock auction - S.P.	19.12	63
Lodges - S.P.	19.10	63
P.U.	11.0113	25
Lot - Def.	37.17	105
Lot size - R-90	4.041	5
R-40	5.041	7
R-20 - water & sewage not provided	6.041	8
R-20 - water & sewage provided	6.051	9
R-20 - water only provided	6.061	10
R-A-1	7.041	13
R-A-2	8.041	18
T-1	9.0421	21
T-2	10.0421	23
<hr/>		
S.P. - Special Permit	P.U. - Permitted Use	11.041
A.U. - Accessory Use	Def. - Definition	12.04
Res. - Residential		28

# INDEX

	Section	Page
Lot size - cont'd.		
B-1	11.041	25
B-2	12.04	28
S-C	13.04	30
M-R	14.041	37
Lunch rooms - P.U.	11.018	25
Lumber yards - P.U.	12.0112	27
Magnesium foundaries - S.P.	30.0110	92
Match manufacture - S.P.	30.0114	92
Milk bottling - P.U.	15.0118	51
Motel - Def.	37.18	105
P.U.	9.012	20
Motion pictures, theatres - P.U.	12.0110	27
Museums - P.U.	4.018	4
Musical instrument manufacture - P.U.	15.0119	51
Nitrates manufacture - S.P.	30.0112	92
Non-conforming uses	20.01	72
- Abandonment	20.05	73
- Change to higher class	20.02	72
- Change to same class	20.03	73
- Extension	20.04	73
- Restoration	20.08	73
Nursing homes - S.P.	19.25	71
Offices - Professional and business - P.U.	11.016	24
Professional and business - S.P.	30.07	94
Parking lots - P.U.	11.017	24
Parking requirements - General	23.	84
Public swimming pool	19.147	64
Research laboratory	19.264	71
Apartment dwellings	19.096	63
S-C District	13.05	31
Personal service shops - P.U.	11.014	24
Petroleum - Liquefied, storage and sale - S.P.	19.24	70
Penalties for violation	27.	88
Permits - Required	24.	86
Special	19.	58
	30.01	91
Planning Commission - Study of uses	17.	57
Planning Commission approval needed -		
power lines, radio & television towers	19.02	59
Site plan - M-R	14.20	45

---

S.P. - Special Permit	P.U. - Permitted Use
A.U. - Accessory Use	Def. - Definition
Res. - Residential	

## INDEX

	Section	Page
Pollution of streams - M-2	16.08	57
M-1	15.11	54
M-R	14.15	41
Pool room - P.U.	12.016	27
Power lines - S.P.	19.02	59
Powers of Board of Zoning Appeals	30.	91
Printing, lithographing or publishing houses - P.U.	12.0113	27
Public buildings - P.U.	12.017	27
Public parks - P.U.	4.017	4
Public utilities - S.P.	19.02	59
Public utility uses and buildings - S.P.	19.13	63
Quarries - S.P.	19.03	59
Race tracks - S.P.	19.06	60
Rear yard - Def.	37.19	105
Remedies	28.	88
Rendering plants - S.P.	30.0117	92
Repeal of 1954 Regulations	36.	102
Research laboratory - Def.	37.24	106
S.P.	19.26	71
P.U.	12.0115	28
Restaurants T-1 - A.U.	9.013	21
B-1 - P.U.	11.018	25
Res. - S.P.	19.27	71
Retail stores - P.U.	11.015	24
Riding academy - S.P.	19.07	61
Rock quarries - S.P.	19.03	59
Rooming house - S.P.	19.11	63
Rubber processing - S.P.	30.0118	92
Sand and gravel - S.P.	19.03	59
Savings & Loan Assoc. - P.U.	11.0110	25
Saw mills - S.P.	19.01	59
	30.0119	92
Schools - P.U.	4.019	4
Service shops - Personal & household - P.U.	11.014	24
Shopping center - Def.	37.20	106
District	13.	28
Side yard - Def.	37.21	106
Sign regulations -		
Business signs in B-1 District	21.047	81
Business signs in B-2 District	21.049	82
Business signs in S-C District	21.0410	82
Business signs in T-1 and T-2 Districts	21.0411	82
<hr/>		
S.P. - Special Permit	P.U. - Permitted Use	
A.U. - Accessory Use	Def. - Definition	
Res. - Residential		

# INDEX

	Section	Page
Sign regulations - cont'd		
Customary home occupations	21.041	79
Directional or information	21.046	80
Directional, business	21.0412	83
For sale, etc.	21.044	79
Ground - vision of motorists	21.0414	83
Ornamental	21.045	80
Professional office	21.042	79
Projecting from building	21.0414	83
Reverse side of a sign	21.0413	83
Road side stands	21.043	79
Temporary real estate sign	21.048	81
Slaughter house - S.P.	30.0122	92
Soap manufacture - S.P.	30.0121	92
Special Permits - M-2 District	30.01	91
Time Limit	22.01	84
Sports center	12.018	27
Standards - Board of Zoning Appeals	31.	96
Storage - gasoline, fuel oil, bottled gas B-2 - S.P.	12.019	27
M-1 - P.U.	15.0139	52
Study of uses	17.	57
Supplementary District Regulations	21.	74
- Use Regulations	21.01	74
- Height Regulations	21.02	75
- Area Regulations	21.03	76
Swimming pools - Club	19.21	70
Public	19.14	63
Tannery - S.P.	30.0123	92
Tar products manufacture - S.P.	30.0111	92
Taverns - P.U.	12.0116	28
Temporary uses of land	30.04	94
Theatres or motion pictures - P.U.	12.0110	27
Theatres - Open air & drive in - S.P.	19.18	66
Time limit - Special Permits	22.01	84
Tourist cabins - Def.	37.18	105
P.U.	9.012	20
Towers - Public utility, radio & television - S.P.	19.02	59
Trade schools - P.U.	11.013	24
Trailer coach - Def.	37.26	106
Trailers	21.011	74
- Storage	21.0111	74
- Farm help	21.0112	74
- Field office	21.0113	75
Trailer parks	10.012	22

---

S.P. - Special Permit	P.U. - Permitted Use	
A.U. - Accessory Use	Def. - Definition	
Res. - Residential		

## INDEX

	Section	Page
Uses excluded - M-1	15.06	53
M-2	16.06	57
M-R	14.17	41
Uses - Classification of	18.	58
Uses limited as to location	19.	58
Uses permitted in R-90	4.01	3
R-40	5.01	7
R-20	6.01	8
R-A-1	7.01	11
R-A-2	8.01	17
T-1	9.01	20
T-2	10.01	22
B-1	11.01	24
B-2	12.01	26
S-C	13.01	29
M-R	14.01	34
M-1	15.01	50
M-2	16.01	55
Uses regulations - Supplementary	21.01	74
Validity	34.	102
Variances - Ellicott City	30.06	94
General	30.03	93
Width of lot - Def.	37.22	106
Wood distillation - S.P.	30.0124	92
Wood working plant - P.U.	16.0120	56
Yard - Def.	37.23	106
Front def.	37.13	104
Rear def.	37.19	105
Side def.	37.21	106
Zoning Commissioner - Qualifications and appointment	25.	87
Enforcement	26.	87
Remedies of	28.	88

---

S.P. - Special Permit	P.U. - Permitted Use
A.U. - Accessory Use	Def. - Definition
Res. - Residential	

AMENDMENT NO. 1      Adopted July 11, 1961

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 19.27

Zoning Case No. 292      Hearing Date July 6, 1961

Amendment:

Add a new sub-section to Section 19, USES LIMITED AS TO LOCATION, to be known as Sub-Section 19.27 and to read as follows:

- 19.27      The Board may approve in the R-40 and R-20 Districts a tea room or restaurant in an existing dwelling or structure and additions thereto provided that:
- 19.271     The minimum lot size shall be 5 acres.
- 19.272     Off-street parking shall be constructed in accordance with Section 23, in the amount of at least one parking space per table for four persons.
- 19.273     Meals shall be served only at tables, indoors or on an outdoor terrace, and not to persons remaining in cars.
- 19.274     Building, buildings or outdoor terraces erected or to be used shall not be less than 100 feet from any street line or property line of the lot.
- 19.275     Off-street parking shall be not less than 20 feet from any street line or property line of the lot.

NOTE:      This amendment was included in the first (original) printing of the Third Edition (May 16, 1961) of Howard County Zoning Regulations.





AMENDMENT NO. 3      Adopted February 20, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 19.29

Zoning Case No. 305      Hearing Date February 15, 1962

Amendment:

Add a new sub-section to Section 19, USES LIMITED AS TO LOCATION, to be known as Sub-section 19.29 and to read as follows:

- 19.29      The Board may approve on any farm in the R-90 to R-20 Districts, processing and distribution facilities for the sale of milk and dairy products produced on said farm and distribution facilities for the sale of other food products customarily distributed on milk truck routes, in conjunction with such milk and dairy products and incidental thereto, provided that:
  - 19.291      The area of the lot to be used shall not be less than 100 acres.
  - 19.292      Off-street parking, loading and unloading facilities shall be constructed in accordance with Section 23.
  - 19.293      No buildings shall be extended or erected or used within 300 feet of a street or within 500 feet of any other property line.



AMENDMENT NO. 4      Adopted May 1, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 21.041

Zoning Case No. 309      Hearing Date April 24, 1962

Amendment:

Section 21.041 - BUSINESS SIGNS IN SHOPPING CENTER DISTRICTS, be amended to read as follows:

21.0410 Business Signs in Shopping Center Districts shall be the same as B-1 Districts except that one additional sign not exceeding 200 sq. ft. in area containing the name of the Shopping Center and/or the businesses located within such Shopping Center, may be placed at any location within the boundaries of the project, provided, however, that no illuminated sign shall be erected within 100 ft. of any residential district, and provided further, that a Shopping Center fronting on more than one street may be permitted such a sign within the required yard area along each street.



AMENDMENT NO. 5      Adopted May 3, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 29.09

Zoning Case No. 313      Hearing Date May 3, 1962

Amendment:

Section 29 - BOARD OF ZONING APPEALS, be amended by adding a Section to be known as Section 29.09, and to read as follows:

29.09      For assistance in reaching decisions, relative to variances or special permits, the Board may request technical service, advice, data or factual evidence from the Planning Commission and/or any other County Agency.



AMENDMENT NO. 6      Adopted May 22, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 19.30

Zoning Case No. 316      Hearing Date May 17, 1962

Amendment:

Section 19, USES LIMITED AS TO LOCATION, be amended by adding a Section to be known as Section 19.30, and to read as follows:

- 19.30      The Board may approve in the R-90, R-40 and R-20 Districts, Golf Driving and Baseball Batting ranges and Minature Golf Courses, provided that:
- 19.301     Off-street parking shall be constructed in accordance with Section 23 of these regulations.
- 19.302     Commercial sales shall be limited to non-alcoholic beverages, sandwiches, candy and similar confection designed to be consumed on the premises.
- 19.303     The area of the building from which such commercial sales are to be made shall not exceed 300 sq. ft.
- 19.304     That no structure including Golf Driving and/or Baseball Batting ranges, and Minature Golf Courses, shall be erected or maintained within 100 ft. of any and all property lines and/or public streets or highways.
- 19.305     The approval by the Board as herein provided, shall be for a period of time not to exceed two years from the date of said approval, provided however, that upon written request of the applicant 30 days before the end of the two year period the Board may extend said use for an additional two year period and may extend further for additional two year periods, provided the Board is requested by said written notices as hereinbefore provided.
- 19.306     The hours and mode of operation, the amount and type of screening from the adjacent residential property and the mode of lighting shall be determined by the Board. The Board shall have continuing jurisdiction in such cases, and may, from time to time, impose additional conditions in order to carry out the purposes and intent of the Zoning Regulations as set forth in Section 1 and 2.





AMENDMENT NO. 7      Adopted June 26, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 21.0415

Zoning Case No. 322      Hearing Date June 26, 1962

Amendment:

Section 21.04 - SIGN REGULATIONS, be amended by adding a Section to be known as Section 21.0415, and to read as follows:

21.0415 Directional signs, not more than two in number each not to exceed 20 sq. ft. in sign area and not more than four in number, each not to exceed 6 sq. ft. in area, advertising location of a farm on which fruits, vegetables and poultry are raised and sold therefrom. Such signs shall contain only the name and address of the farm, the distance, directional arrow and the particular fruit, vegetable or poultry being sold therefrom. Provided that, the portion of each sign indicating the particular fruit, vegetable or poultry being sold shall be removed not later than 30 days after the growing season for such fruit, vegetable or poultry.



AMENDMENT NO. 8 Adopted July 17, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 6.05; 6.06; 6.4; 6.5; 37.27; 37.28

Zoning Case No. 323 Hearing Date July 13, 1962

Amendment:

1. Repeal and delete from the Zoning Regulations of Howard County, all of Section 6.05, "Area Regulations in the R-20 Districts Where Both Public Water and Sewerage are Provided", and Section 6.06 "Area Regulations in the R-20 Districts Where Water only is Provided".
2. Add two new Sections to the Zoning Regulations of Howard County to be known as Section 6.4 - R-16 Districts and Section 6.5 - R-12 Districts, and to read as follows:

SECTION 6.4 - R-16 DISTRICTS

6.401 USES PERMITTED IN THE R-16 DISTRICTS

Same as uses permitted in the R-20 District, Section 6.01, except that no fowl or animal of any kind shall be kept on lot in a R-16 subdivision other than household pets.

6.402 ACCESSORY USES PERMITTED IN THE R-16 DISTRICTS

Same as R-90 Districts - Section 4.02

6.403 HEIGHT REGULATIONS IN THE R-16 DISTRICTS

Same as R-90 Districts - Section 4.03

6.404 AREA REGULATIONS IN THE R-16 DISTRICTS

Same as R-20 except that where both public water and public sewer are provided the following area regulations shall apply:

6.4041 LOT SIZE

No building shall be erected on any lot where the area of such lot is less than 16,000 square feet. Each lot shall have a minimum width of 85 feet at the building line.

6.4042 FRONT YARD

A front yard not less than 50 feet deep shall be provided for each building hereafter erected or extended.

6.4043 SIDE YARDS  
Two side yards each of which shall be not less than 10 feet, shall be provided for each building hereafter erected or extended, except that for a corner lot a side yard along a side street of not less than 40 ft. shall be provided.

6.4044 REAR YARD  
A rear yard of not less than 40 feet shall be provided for each building hereafter erected or extended, provided that where the rear lot line is adjacent to a free-way or primary road, a rear yard of not less than 75 feet shall be provided.

6.4045 COVERAGE  
Same as R-20 Districts - Section 6.045.

6.4046 FLOOR SPACE REQUIREMENTS  
Same as R-90 Districts - Section 4.046.

SECTION 6.5 - R-12 DISTRICTS

6.501 USES PERMITTED IN THE R-12 DISTRICTS

6.5011 Same as R-16 Districts - Section 6.401 One Family Semi-detached dwellings

6.502 ACCESSORY USES PERMITTED IN THE R-12 DISTRICTS  
Same as R-90 Districts - Section 4.02

6.503 HEIGHT REGULATIONS IN THE R-12 DISTRICTS  
Same as R-90 Districts - Section 4.03

6.504 AREA REGULATIONS IN THE R-12 DISTRICTS  
Same as R-20 Districts, Section 6.04, except that where both public water and public sewer are provided the following regulations shall apply:

6.5041 LOT SIZES  
No building shall be erected on any lot where the area of such lot is less than 12,000 square feet. Each lot shall have a minimum width of 75 feet at the building line.

6.5042 FRONT YARD  
A front yard not less than 50 feet deep shall be provided for each building hereafter erected or extended.

6.5043 SIDE YARDS

6.50431 Each lot used for a one or two family detached dwelling hereafter erected or extended shall have two side yards each of which shall not be less than ten feet; except that for a corner lot the side yard along the side street shall not be less than 40 feet.

6.50432 Each lot used for a one family semi-detached dwelling hereafter erected or extended shall have one side yard which shall not be less than 20 feet; except that for a corner lot the side yard along the side street shall not be less than 40 feet.

6.5044 REAR YARD

A rear yard of not less than 40 feet shall be provided for each building hereafter erected or extended, provided that where the rear lot line is adjacent to a freeway or primary road, a rear yard of not less than 75 feet shall be provided.

6.5045 COVERAGE

Same as R-20 Districts - Section 6.045

6.5046 FLOOR SPACE REQUIREMENTS

Same as R-90 Districts - Section 4.046

Add two sub-sections to Section 37 - DEFINITIONS, to be known as sub-section 37.27 and 37.28 and to read as follows:

37.27 DWELLING, ONE FAMILY SEMI-DETACHED

One of two buildings arranged or designed as one family housekeeping units located on abutting lots separated from each other by an approved masonry party wall without openings, extending from the basement or cellar floor to the highest point of the roof along the dividing lot line and separated from any other building or structure by space on all sides.

37.28 DWELLING, TWO FAMILY

A building arranged or used for occupancy by two families as separate housekeeping units, constructed as one building and under single ownership.

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AMENDMENT NO. 9      Adopted November 13, 1962

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 19.21

Zoning Case No. 335      Hearing Date November 8, 1962

Amendment:

That Section 19.21 of Zoning Regulations of Howard County, be and the same is hereby amended by deleting therefrom the following:

"; provided, however, that said club is operated for the private enjoyment of its members and its guests and shall not be open to the general public".





AMENDMENT NO. 10      Adopted October 17, 1963

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 19.15; 19.151; 19.155; 19.156

Zoning Case No. 348      Hearing Date October 8, 1963

Amendment:

Amend Section 19.15 and Sub-sections 19.151, 19.155 and 19.156 to read as follows:

- 19.15      The Board may approve in the R-90 to R-20 Districts, an antique shop and/or art gallery in an existing building, provided, however, that:
- 19.151     The height and area regulations of the district in which such antique shop and/or art gallery is located are complied with.
- 19.155     No display of any kind shall be permitted except that one sign not to exceed twelve (12) square feet in area may be displayed on the premises advertising only the name of the antique shop and/or art gallery and the proprietor's name and address.
- 19.156     The property on which such antique shop and/or art gallery is located shall be of sufficient size to allow for off-street parking in accordance with Section 23 of these regulations.



Amendment No. 11      Adopted 12/19/63

Amend Section 30.06 of the Zoning Regulations to read as follows:

"30.06    Because of the shallowness and irregular shape of the lots and the exceptional topographical conditions existing along Route 144 in Ellicott City (Main Street) between the Patapsco River and Rogers Avenue, and along Church Road in Ellicott City between Main Street and Emory Street, the Board of Zoning Appeals may, in cases where it is exceptionally difficult, if not impossible, to comply with the exact area, height and parking space requirements of these regulations, make such variation as will prevent unwarranted hardship or injustice and at the same time most nearly accomplish the purpose and intent of these regulations."



Amendment No. 12      Adopted 12/19/63

Delete Section 8:

"Section 8 - 'R-A-2 DISTRICTS' and Sub-sections 8.01 through 8.07 of the Zoning Regulations of Howard County be, and the same are hereby repealed."

(NOTE: This amendment deletes part of page 17, all of pages 18 and 19 and part of page 20. Insert in lieu thereof this page 18 (3/10/64))

Amendment 12 Page 1 of 1  
~~18 (3/10/64)~~



Amendment No. 13      Adopted 1/6/64

Add Sub-Section 37.29:

"37.29    PUBLIC WATER AND SEWERS  
Public water and sewers shall mean:  
water and sewer facilities which  
are connected to or a part of the  
comprehensive or central systems of  
Howard County which are within the  
jurisdiction and control of the  
Howard County Metropolitan Com-  
mission."

Amendment 13    Page 1 of 1  
~~107-B (3/10/64)~~





AMENDMENT NO. 14      Adopted April 8, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations.

Sections Affected: 19.08

Zoning Case No. 393      Hearing Date April 1, 1965

Amendment:

Amend Section 19.08 and Sub-sections thereunder to read as follows:

- 19.08    The Board may approve kennels for the purpose of boarding, breeding, or care of dogs, cats and other domestic fur bearing animals, in the R-90, R-40 and R-20 Zoning Districts, provided:
- 19.081    That any lot used for such purposes shall contain not less than five acres of land.
- 19.082    That no kennels shall be erected, extended or used within 200 feet of any highway, street or road, nor within 100 feet of any other property line, except in cases where a property line adjoins public park land the Board may decrease this 100 foot requirement, for reasonable cause, to not less than 50 feet.
- 19.083    That no permit for a kennel shall be issued without the approval of the County Health Officer.
- 19.084    That no kennel shall be erected or maintained without a permit being granted by the local Board of Health of Howard County as provided in Chapter 196, Acts of 1945, General Assembly of Maryland.
- 19.085    That the Board shall increase the restrictions herein provided and to add others, including fencing and/or screen plantings, when it is deemed necessary in order to protect the health and safety of residences and workers on the adjoining properties and in the general neighborhood. A Special Permit for kennels shall be issued for a period of two years subject to renewal. No kennel shall be enlarged or extended beyond the limits authorized in the issuance of a Special Permit. All such enlargements or extensions shall require the granting of a Special Permit as in the case of an original petition.
- 19.086    That the term kennel shall be defined as, any building or buildings and/or land used, designed or arranged for the boarding, breeding, or care of dogs, cats, pets and other domestic fur bearing animals, kept

for the purposes of show, hunting, sales or as pets, but not to include those animals raised for agricultural purposes and any animals weighing more than 50 pounds, except that this weight limitation shall not apply to dogs.

AMENDMENT NO. 15      Adopted April 22, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations.

Sections Affected: 19.31

Zoning Case No. 391      Hearing Date March 18, 1965

Amendment:

Add Section 19.31 and Sub-sections thereunder to read as follows:

- 19.31 The Board may approve in any Zoning District, camps designed for over-night use by tourists and travelers who primarily carry with them their own overnight camping equipment such as tents and mobile camping facilities, provided the following requirements and provisions are complied with:
- 19.311 No camp patron shall be allowed to maintain and/or use the camping sites or facilities of any camp permitted under this section for a period longer than fourteen (14) consecutive nights.
- 19.312 Ample public sanitary facilities shall be provided for the use of the camp patrons and all such public facilities shall be first approved by the Howard County Health Department before any petition for a permit may be approved under this section. Disposal of all sanitary waste shall be by underground disposal methods as approved by the Howard County Health Department.

The Washhouse and/or Comfort Stations as approved by the Howard County Health Department shall provide facilities for individual campsites within a three hundred foot radius. Whenever there is a discrepancy between the minimum standards as shown below and those contained in regulations of the Howard County Health Department or other official regulations of Howard County, the highest standard shall apply. Any washhouse and/or comfort station shall utilize a flush system in the following manner:

<u>Men</u>	<u>Women</u>
For up to 24 sites	For up to 24 sites
1 Water closet	2 Water closets
1 Lavatory	1 Lavatory
1 Urinal	
2 Showers	2 Showers

For each additional 30 sites

- 1 Water closet
- 1 Urinal
- 1 Lavatory
- 2 Showers

For each additional 30 sites

- 2 Water closets
- 1 Lavatory
- 2 Showers

- 19.313 Area allotted for each individual camping site within the camp shall be not less than 1500 square feet including off-road parking space, which said off-road parking space shall be provided for each individual camping site. Minimum width of each individual camp site 30 feet. Minimum width of camp roads shall be 15 feet for one-way roads and 20 feet for two-way roads.

Each individual camping site shall be accessible from a camp road. Minimum distance from any property line to nearest camping site or facility shall be 50 feet, except that the minimum distance from the right-of-way line of any adjoining existing or proposed public road shall be not less than the required setback distance applicable to the Zoning District in which the camp is located, but in no case less than 50 feet. Minimum distance between buildings shall be twenty-five (25) feet.

- 19.314 Screen shall be installed to screen out visual observation of all camping sites and camp facilities from any dwelling located 100 feet or less from any adjoining property line when said dwelling is within 300 feet of any camping site or camp facility and along the frontage of an adjoining public highway, street, road or other public right-of-way. Screen shall be by screen planting as specified by the Board of Zoning Appeals. Special conditions, such as provisions for additional fencing and/or planting or other landscaping, additional setback from property lines, location and arrangement of lighting, and other reasonable requirements deemed necessary to safeguard the general community interest and welfare, may be invoked by the Board as requisites to the issuance and/or renewal of a special permit. No camp shall be enlarged or extended beyond the limits authorized in the issuance of the special permit. All such enlargements or extensions shall require the granting of a special permit as in the case of the original petition.

- 19.315 Camping equipment shall mean a tent or vehicular accommodation (other than a mobile home) suitable for temporary habitation, used for travel, vacation or recreational purposes.

- 19.316 The campsite areas shall be clustered and shall be planned for a minimum of twenty-four and a maximum of sixty-four individual campsites per cluster, each cluster to be provided with a service and recreation open area of not less than 10,000 square feet. Campsite clusters shall have a minimum distance of 200 feet between centers.
- 19.317 The Board of Zoning Appeals shall have continuing jurisdiction in such cases and may, from time to time, impose additional safeguards in the interest of public safety and security, or said Board may revoke the use granted and the permit issued where it finds such use endangers the lives and safety of people living in the community, provided however, no such permit shall be revoked without public notice and hearing.
- 19.318 The approval by the Board as herein provided, shall be for a period of two years from the date of said approval, provided however, that upon written request of the permittee 30 days before the end of the two year period, the Board may extend said use for an additional two year period and may extend further for additional two year periods provided the Board is requested by said written notices as hereinbefore provided.
- 19.319 No building permit shall be issued for any construction within the camp approved by the Board of Zoning Appeals, until a site plan showing the design and layout, ingress, and egress, storm drainage, and sewerage facilities shall have been approved by the Howard County Health Department, Metropolitan Commission, Zoning Department, Roads Department, Planning Commission, Maryland State Roads Commission and/or other applicable County Departments.



AMENDMENT NO. 16      Adopted May 27, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 17; 18

Zoning Case No. 398      Hearing Date May 4, 1965

Amendment:

1. Section 17 of these Regulations, as that Section existed immediately prior to the passage of this Resolution, is hereby renumbered and designated as a separate paragraph, to follow immediately after the first paragraph of Section 18. All references to these Regulations, or to Sections thereof, throughout the new Section 17 shall be deemed to refer to these Regulations, or to the appropriate Sections thereof, as they exist on the date of the passage of this Resolution.
  
2. A new Section, to be known as Section 17, is hereby adopted as follows:  
(NEW SECTION 17 CONTINUED ON THE FOLLOWING PAGES 2 to 14 INCLUSIVE OF THIS AMENDMENT NO. 16)  
  
(AMENDED SECTION 18 CONTINUED ON THE FOLLOWING PAGE 15 OF THIS AMENDMENT NO. 16)

Section 17 --- NT (NEW TOWN) DISTRICTS

- 17.01 Definitions, Requirements and Restrictions Applicable to NT Districts
- 17.011A As used herein, the term "New Town" means an unincorporated city, town or village which
- 17.011A(1) is designed and planned as an economically and culturally self-sufficient community with a population of at least 20,000 inhabitants; and
- 17.011A(2) is so designed and planned as to meet all of the requirements specified in this Section 17.01.
- 17.011B As used herein, the terms "New Town District", "NT District" or "the District" mean the land zoned for the erection of a new town under the provisions of this Section 17.
- 17.012 No NT District shall be created except by the procedure set forth in section 17.02 hereof. Each NT District must contain a total area of at least 2,500 contiguous acres. Lands which are divided by streets, roads, ways, highways, transmission pipes, lines or conduits, or rights of way (in fee or by easement) owned by third parties shall be deemed to be contiguous for purposes of this Section 17. No NT District shall be established except upon land the beneficial title to which is in the person, firm or corporation executing the petition referred to in Section 17.021 hereof. The tenant under a lease having a term of not less than seventy-five years shall be deemed to be the holder of the beneficial title to the land covered by the lease for the purpose of this Section 17.
- 17.013 No NT District shall have a greater overall population density than that produced by the number of "dwellings", as defined in Section 37.10 hereof, permitted under the provisions of this Section 17.013. The maximum number of dwellings permitted within a NT District shall be calculated by multiplying the total number of acres within the entire NT District (without excluding any areas regardless of their use) by the average number of dwellings per acre permitted within the NT District as specified in the "Final Development Plan", as hereinafter defined; provided, however, that in no event shall the average number of dwellings per acre permitted in any NT District exceed 2.5. Within each NT District the following additional density restrictions shall apply:
- 17.013A In areas designated "single family - low density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within



the NT District and shall be calculated by multiplying the number of acres within all areas so designated by two.

17.013B In areas designated "single family - medium density" on the Final Development Plan the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by four.

17.013C In areas designated "Apartments" on the Final Development Plan the maximum number of "apartments", as defined in Section 37.04 hereof, permitted shall relate to the overall total number of apartments in all areas so designated within the NT District and shall be calculated by multiplying the number of acres within all areas so designated by fifteen.

17.014 The use of land within NT Districts shall be limited to those uses specified in the "Final Development Plan", provided, however, that in no event shall:

17.014A Uses permitted only in T-2 and M-2 Districts under these Regulations be permitted in an NT District; and

17.014B Any attached or semi-detached houses be erected, except:

17.014B(1) in areas designated "Apartments" on the Final Development Plan;

17.014B(2) in groups having no more than 10 dwellings attached to one another;

17.014B(3) in such numbers as not to exceed 10 dwellings for each acre of such use, calculated by multiplying the number of acres so designated by 10; and

17.014B(4) in such physical relation to each other and to other uses as may be specifically approved on a subdivision layout submitted as part of the Final Development Plan.

17.015 Except for accessory uses as hereinafter provided, no building or other structure within an NT District shall be:

17.015A Erected except at the general location shown for it on the Final Development Plan, or

17.015B Used for any purpose other than the use designated for it on the Final Development Plan.

17.016 Except as otherwise provided in the Final Development Plan, the following restrictions shall be applicable to NT Districts:

17.016A Access shall be provided from every use site to a public street or to a system of common streets and ways connecting with the public street system.

17.016B The minimum residential floor area requirements of these Regulations shall be applicable to comparable residential uses within the NT Dis-

trict. However, each group home and/or town house unit must contain a minimum of 1080 square feet of gross floor space, excluding the basement.

- 17.016C The off-street parking requirements of Section 23 of these Regulations shall be applicable.
- 17.016D The sign regulations of Sections 21.04, 19 and 14.16 shall be applicable. Sign regulations stated to be applicable by districts shall be applied, in the NT Districts, to the individual uses listed for those respective districts, so that Section 14.16 shall be applied to industrial uses, Section 21.049 shall be applied to B-2 uses other than B-1 uses, Section 21.0410 shall be applied to shopping centers, Section 21.0411 shall be applied to uses permitted by Section 9.012, and Section 21.0412 shall be applicable only in business and industrial areas shown as such on the Final Development Plan.
- 17.016E The accessory use provisions of Section 4.02 shall be applicable to all residential uses within the NT District and Section 24 of these Regulations shall be applicable.
- 17.017 Subject to the more restrictive provisions of Section 17.031D relating to specific uses, all provisions of these Regulations relating to T-1, B-1, B-2, SC, MR and M-1 Districts (except those restrictions relating to minimum lot size, height limitations, parking requirements, front, side and rear yard areas, set back provisions and coverage requirements, the controls afforded by the Final Development Plan set forth in Section 17.031E being substituted therefor) shall apply to those areas in the NT District designated on the approved Final Development Plan for uses corresponding to those permitted in the aforesaid districts, including, but not limited to, the following:
  - 17.017A For all industrial uses, the performance standards and requirements of the following Sections of these Regulations shall be applicable:
    - 17.017A(1) 14.08 NOISE CONTROL
    - 17.017A(2) 14.09 VIBRATION CONTROL
    - 17.017A(3) 14.10 SMOKE AND FLY ASH
    - 17.017A(4) 14.11 FUMES, GASES AND ODORS
    - 17.017A(5) 14.12 EMISSIONS AFFECTING PERSONS
    - 17.017A(6) 14.13 EMISSIONS AFFECTING PROPERTY OR VEGETATION
    - 17.017A(7) 14.14 DIRT AND DUST
    - 17.017A(8) 14.15 POLLUTION OF STREAMS
    - 17.017A(9) 15.07 NOISE CONTROL
    - 17.017A(10) 15.08 VIBRATION CONTROL

- 17.017A(11) 15.09 SMOKE AND FLY ASH
- 17.017A(12) 15.10 ODORS, FUMES, GASES
- 17.017A(13) 15.11 POLLUTION OF STREAMS

17.018 Each New Town District must provide each of the following uses in the following proportions:

	(1)	(2)
	Minimum	Maximum
	Percentage	Percentage
	of Total	of Total
	Area of the	Area of the
	District	District
17.018A Open Space Uses	20%	NA
17.018B Single Family - Low Density	15%	NA
17.018C Single Family - Medium Density	25%	NA
17.018D Apartments	NA	10%
17.018E Commercial (B-1, B-2, T-1 and SC Uses)	2%	10%
17.018F Industrial Uses (MR and M-1 Uses)	10%	20%
17.018G Other uses presently permitted in any zoning district other than those permitted only in M-2 or T-2 districts	NA	15%

17.018H NOTE: N/A means Not Applicable.

17.018J Each New Town District must also provide adequate public transportation facilities and public water and sewer systems in the areas shown on the Final Development Plan. As used in this Section 17.018, the term "open space uses" is defined as being those uses which do not involve any extensive coverage of land with buildings, as, for example, all lands devoted to the raising of crops, agricultural uses, parks, playing fields, golf courses and any other outdoor recreational uses (whether any such uses be publicly owned or privately owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and all lands devoted to public or community uses. Open land designated for residential uses shall be considered qualified as "open space use" only if it is held for the common use of the public or persons residing in the particular locality within the community and if it is larger than two acres in size. For the purpose of meeting the 20% requirement imposed above,

17.018J(1) the term "open space uses" shall not include parking lots, vehicular rights-of-way, amusement parks, golf driving ranges or drive-in movies and

- 17.018J(2) at least 50% of the land area so designated shall be available to the public at large.
- 17.018K All lands approved as open space use on the Final Development Plan of the NT District shall be conclusively presumed to satisfy the requirements of this Section 17.018.
- 17.019 Anything in other Sections of these Regulations to the contrary notwithstanding, there shall be no restrictions upon the use of, or on the erection of buildings and structures on, land within an NT District other than such as are provided in the various subsections of this Section 17, or in such other Sections of these Regulations as are expressly stated to be applicable by the various provisions of this Section 17. Nothing herein shall render inapplicable any regulation of the County relating to construction requirements and/or subdivision approval to the extent that any of the same are not inconsistent with the provisions of this Section 17.
- 17.02 PROCEDURE FOR CREATION OF NT DISTRICTS
- 17.021 The beneficial owner of any tract of land in Howard County meeting the requirements of Section 17.012 may petition the County Commissioners to designate the property described in the petition as an NT District. The petition, or the petition together with any schedules attached thereto, shall contain:
- 17.021A The exact name and address of the petitioner and a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property in question to the petitioner is recorded (if the petitioner is not the legal as well as beneficial owner of the property, the petition shall
- 17.021A(1) so state
- 17.021A(2) list the exact name and address of the legal title holder and give a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property to the legal title holder is recorded, and
- 17.021A(3) contain a written assent to the petition signed by the legal title holder);
- 17.021B A metes and bounds description of the property covered by the petition and a survey thereof demonstrating that the same meets the requirements of Section 17.012.
- 17.021C A Preliminary Development Plan of the property covered by the petition. As used in this Section 17, the term "Preliminary Development Plan" shall mean a generalized drawing or series of drawings of the proposed New

Town, with appropriate text materials, setting forth:

- 17.021C(1) the major planning assumptions and objectives, including the projected population, the planned development pace, the method of assuring that all open space uses will be permanently maintained and devoted to open space uses, the proposed public transit system routes and method of operation, and the facilities for the proposed cultural activities of the New Town;
  - 17.021C(2) the proposed general layout of major roads and highways;
  - 17.021C(3) a statement of the number of acres within the proposed NT District intended to be devoted to--
    - 17.021C(3)a residential uses, broken down into the number of acres to be used for each of the following specific residential uses:
      - 17.021C(3)a(1) single family -- low density areas;
      - 17.021C(3)a(2) single family -- medium density areas;
      - 17.021C(3)a(3) apartment areas;
    - 17.021C(3)b employment uses (i.e., any use involving the employment of individuals, including office buildings, private schools, hospitals, institutions, commercial undertakings, industrial enterprises, and all other forms of business, professional or industrial operations), and
    - 17.021C(3)c open space uses;
  - 17.021C(4) the general location of the uses referred to in subparagraph above, including proposed sites for recreational uses, schools, parks and other public or community uses and, to the extent petitioner has determined locations for commercial uses at the time of the filing of the Preliminary Development Plan, including a separate designation of commercial areas;
  - 17.021C(5) a description of the proposed drainage, water supply, sewage and other utility facilities; and
  - 17.021C(6) a statement of the intended over-all maximum density of population of the proposed NT District, expressed in terms of the average number of dwellings per acre.
- 17.021D The Preliminary Development Plan shall indicate the location and nature of any commercial uses to be included in residential areas. All proposed commercial and industrial uses, except for those limited number of commercial uses which are proposed in residential areas, shall be indicated on the drawings in areas marked "Employment Centers", defined as those areas shown on the Preliminary Development Plan which the petitioner proposes to develop for employment uses. All intended uses which by Section 19 of these Regulations are permitted, with speci-

fic approval, only in residential districts, or in some residential districts and some non-residential districts, may be included in the Final Development Plan, either in the residential areas or Employment Centers shown on the Preliminary Development Plan. All intended uses which by Section 19 of these Regulations are permitted, with specific approval, only in non-residential districts, shall be included in areas marked Employment Centers on the Preliminary Development Plan.

- 17.022 The petitioner shall file fifteen copies of the above described petition and all schedules annexed thereto with the Zoning Commissioner who shall, in turn, transmit five sets of the same to the Planning Commission and to the Howard County Metropolitan Commission and each such agency shall within 30 days after receipt of the petition issue a written report and recommendation thereon to the County Commissioners. In considering the petition and in making its recommendation and report thereon, the Planning Commission shall consider the matters set forth in Sections 1 and 2 of these Regulations as well as the Master Plan for the County, and the Howard County Metropolitan Commission shall consider the availability of water and sewerage facilities.
- 17.023 After the Planning Commission and the Howard County Metropolitan Commission have issued their respective recommendations and reports, the County Commissioners shall schedule a public hearing at which parties in interest and citizens of Howard County shall have an opportunity to be heard. Public notice of the hearing and the posting of the property in question shall be subject to the provisions of Section 33.01 hereof. Following the public hearing, and after considering the reports and recommendations of the Planning Commission and the Howard County Metropolitan Commission, and after giving due regard to the matters set forth in Section 1, 2 and 33.03 hereof, the County Commissioners shall examine the Preliminary Development Plan in detail. In making this examination, the County Commissioners shall also consider the following guides and standards in passing on the petition: the appropriateness of the location of the NT District as evidenced by the General Plan of Howard County; the effect of such District on properties in the surrounding vicinity; traffic problems and their relation to the public safety and welfare; the physical layout of the County; the orderly growth of the County; the availability of essential services; the most appropriate use of the land; the need for adequate open spaces for light and air; the preservation of the scenic beauty of the County; the necessity of facilitating the provision of adequate community utilities

and facilities such as public transportation, fire fighting equipment, water, sewerage, schools, parks and other public requirements; population trends throughout the County and surrounding metropolitan areas and more particularly within the area considered; the proximity of large urban centers to the proposed NT District; the road building and road widening plans of the State and County; particularly for the area considered; the needs of the County as a whole and the reasonable needs of the particular area considered; the character of the land within the District and its peculiar suitability for particular uses; and such other matters relevant and pertinent to the relationship of the District to the comprehensive zoning plan of the area.

17.023A The petition shall be granted only if the County Commissioners affirmatively find --

17.023A(1) that the petition complies with the provisions of Section 17.021;

17.023A(2) that the proposed development constitutes a New Town meeting the requirements of Section 17.01;

17.023A(3) that a New Town District should be located at the proposed site; and

17.023A(4) that the Preliminary Development Plan constitutes a general land use plan for the area covered thereby designed to meet the objectives set forth in Section 1 and 2 of this ordinance.

17.023B The action of the County Commissioners in the approval or disapproval of a petition for New Town District Zoning, being legislative in nature, shall not be subject to appeal.

17.024 If the petition is granted, the County Commissioners shall by resolution approve the Preliminary Development Plan and shall create a New Town District covering all of the land included in the petition. If the proposed NT District contains more than 2,500 acres, the creation of the District may be accomplished by rezoning all of the land included in the petition at one time or, in the discretion of the Commissioners, by rezoning the same in phases. If this latter course is taken:

17.024A The area included in the first such phase shall be at least 2,500 acres, and each additional phase shall be of such size and at such location or locations as will permit effective and economic development of the portion so zoned as a part of the New Town shown on the Preliminary Development Plan; and

17.024B The overall density restriction, the density restrictions as to particular use areas, and the restrictions as to the maximum and minimum areas devoted to particular uses shall be applied with respect to the entire

area shown on the Preliminary Development Plan and not merely with respect to the area of the phase so zoned.

- 17.025 If the petition is approved as above provided:
- 17.025A A copy of the Preliminary Development Plan shall be certified as approved by the County Commissioners and a verified copy of the same shall be forwarded to the Planning Commission, the Howard County Metropolitan Commission, and the petitioner;
- 17.025B The zoning map of the county shall be amended so as to designate the area of the new NT District or the phase thereof then being zoned;
- 17.025C All prior existing zoning controls over the property so designated as being within the NT District which are inconsistent with the Preliminary Development Plan shall cease;
- 17.025D No further permanent improvements involving any new primary uses shall thereafter be erected on, and no new primary uses made of, any part of the land within the new NT District prior to the approval of the Final Development Plan (or the phase thereof covering such development) as hereinafter provided, except for such as may be specifically approved by the Planning Commission, but petitioner shall discontinue any such use and demolish any such improvements so permitted by the Planning Commission if such use and such improvements are not ultimately permitted by the Final Development Plan.

#### 17.03 FINAL DEVELOPMENT PLAN

- 17.031 As used herein, the term "Final Development Plan" shall mean a drawing, or series of drawings, at a scale of one inch equals 100 feet, with appropriate text material, setting forth with respect to the entire NT District:
  - 17.031A The permitted locations of all
    - 17.031A(1) public streets and roads,
    - 17.031A(2) public easements and rights of way,
    - 17.031A(3) major lines and conduits supplying water, sewage, electrical and other utility services, and
    - 17.031A(4) drainage facilities, both on-site and off-site
  - 17.031B The permitted locations of all sites for recreational, school, park and other public or community use;
  - 17.031C The preliminary subdivision plats showing all proposed lot and parcel lines;
  - 17.031D The proposed general locations of all buildings and structures and the permitted "general use" or "specific use", as hereinafter defined, of each such building and structure, except that no uses shall be speci-



fied which are permitted only in T-2 and M-2 Districts. Where the Final Development Plan designates the use of particular building or structure as "uses permitted in a ..... District" (e.g., "uses permitted in a B-1 District"), then the building or structure may be used for all uses permitted in the particular District by the several sections of these Regulations, the use so designated being herein referred to as a "general use". Where, however, the Final Development Plan designates a structure for a particular use (e.g., "retail store"), the building or structure must be used for that particular use only, the use so designated being herein referred to as a "specific use"; and

- 17.031E Height limitations, parking requirements, front, side and rear yard areas, set back provisions, minimum lot sizes and coverage requirements, stated generally and/or specifically with respect to particular improvement or types of improvements.
- 17.032 Within thirty days following notification of the approval of the Preliminary Development Plan, the petitioner shall notify the Planning Commission of the target date for the presentation to the Planning Commission of a proposed Final Development Plan of the NT District, or of the first phase of a proposed Final Development Plan if the petitioner desires to develop the NT District in separate geographical segments.
- 17.033 Promptly following the giving of such notice to the Planning Commission, the petitioner shall commence the preparation of a proposed Final Development Plan. Upon completion of a proposed Final Development Plan, or upon completion of each phase thereof if the petitioner elects to develop the NT District in separate geographical segments, the petitioner shall deliver five copies of the same to the Planning Commission for its consideration. After review of the material submitted in light of the General Plan for the County, and after giving the petitioner an opportunity to be heard, the Planning Commission shall:
  - 17.033A Approve the proposed Final Development Plan (or the particular phase thereof) as submitted by the petitioner;
  - 17.033B Approve the proposed Final Development Plan (or the particular phase thereof) as changed by the Planning Commission; or
  - 17.033C Reject the proposed Final Development Plan (or the particular phase thereof) in its entirety.
- 17.034 In acting upon a proposed Final Development Plan (or the particular phase thereof) the Planning Commission shall be guided by the provisions of Sections 1, 2, and 17.023 of these Regulations and shall particularly consider:

- 17.034A The location and adequacy of all streets and ways, in relation to the highway plans of the County and State.
- 17.034B The location and adequacy of public utility and community facilities, including transportation facilities and recreational uses and school properties, in relation to the density and distribution of population.
- 17.034C The location, extent and potential use of open space in the form of greenbelts, walkways, parkways, park land, etc., as it affects the general amenity of the community.
- 17.034D The impact of the proposed commercial and industrial uses on the residential uses within the NT District or adjacent thereto. }
- 17.035 In considering the matters set forth in Section 17.034, the Planning Commission shall be entitled to consult with, or request reports from, the Howard County Metropolitan Commission, the Health Department of Howard County, the Building Engineer and any other public departments or agencies of the County or State.
- 17.036 The Planning Commission shall not unreasonably disapprove or change a proposed Final Development Plan, or any phase thereof. The fact that the proposed Final Development Plan, or any phase thereof, is not in conformity with the Preliminary Development Plan shall be sufficient ground for disapproval or change. The Planning Commission shall approve no Final Development Plan which varies the areas of uses below the minimum or above the maximum percentages for particular uses specified in Section 17.018.
- 17.037 Prior to final approval of the proposed Final Development Plan (or any phase thereof if separately submitted), a public hearing thereon shall be had if the same deviates from the Preliminary Development Plan previously approved by the County Commissioners in any of the following particulars:
- 17.037A If the overall maximum density of population within the NT District exceeds that stated in the Preliminary Development Plan; or
- 17.037B If the number of acres to be devoted to the employment uses referred to in Section 17.021C(3)b hereof shall be increased more than 10%, or the number of acres to be devoted to the uses referred to in Section 17.021C(3)c hereof shall be decreased by more than 10%, from that stated in the Preliminary Development Plan; or
- 17.037C If the proposed Final Development Plan shows a use of land in the NT District within 300 feet of any outside boundary thereof which differs from that shown on the Preliminary Development Plan (unless the owners of all land abutting the NT District and within 300 feet of the land in the NT

District the use of which is to be changed shall sign a written waiver of the right to be heard in connection with such change in use).

- 17.037D If a public hearing is required to be held under this Section 17.037, it shall be limited to the particular deviation (or deviations) which required the hearing, and the Planning Commission shall require publication and posting of the property, all as in the case of the hearing on the Preliminary Development Plan.
- 17.038 In applying the provisions of this Section 17, where the proposed Final Development Plan is submitted in phases, the overall population density and the acres devoted to particular uses shall be recomputed upon the consideration of each successive phase of proposed Final Development Plan so as to include all prior phases, but in making these recomputations, the gross area of the entire NT District covered the Preliminary Development Plan shall be considered and not merely the area of the segments covered by the prior phases of the proposed Final Development Plan and the current phase being submitted for approval.
- 17.039 If the Planning Commission shall disapprove the proposed Final Development Plan (or any phase thereof), or shall fail to approve or disapprove the same within sixty days after submission, then the petitioner, at his election, may take an appeal as permitted by law or may submit the proposed Final Development Plan (or the phase thereof in question) directly to the County Commissioners. If the petitioner pursues this latter course, the County Commissioners shall hold a public hearing on the proposed Final Development Plan (or the phase thereof in question), shall require publication and posting of the property, shall ask for recommendations from the Planning Commission and the Howard County Metropolitan Commission, all as in the case of the hearing on the Preliminary Development Plan. After such hearing and the receipt of such reports and recommendations as may be forthcoming within 30 days after such requests, the County Commissioners may approve, with or without changes, or disapprove the proposed Final Development Plan (or the phase thereof in question). In making this decision, the County Commissioners shall consider the matters set forth in Section 17.034 hereof.
- 17.0310 Upon approval of the Final Development Plan (or upon the approval of each phase thereof if submitted on a separate segment basis) as above provided the same shall be recorded among the Land Records of Howard County and the provisions thereof as to land use shall bind the property covered thereby as provided in Section 17.01 with the full force and effect of Specific Zoning Regulations. After such recordation, no

new structure shall be built, no new additions to existing structures made, and no change in primary use effected, different from that shown on the Final Development Plan except by an amendment to the Final Development Plan. Such an amendment may be requested by any interested party and the proposed amendment shall be governed by all of the foregoing provisions relating to the approval of the Final Development Plan. Changes in accessory uses shall be permitted pursuant to applications for certificates of occupancy.

- 17.0311 At any time before the County Commissioners have acted pursuant to Section 17.023 hereof, the original petitioner may amend his petition for an NT District so as to include additional land owned by him and adjacent to the land described in the original petition. If the County Commissioners have approved a petition under Section 17.023, then at any time thereafter the original petitioner may file a new petition to annex additional land to the NT District so as to include additional land owned by him and adjacent to the existing NT District. Such new petition shall be subject to all of the provisions of this Section 17, except that the minimum area requirements under Section 17.012 shall not apply.
- 17.0312 If construction has not been commenced and completed to the extent of 25% of the ground floor area of the buildings shown on the Final Development Plan within five years after the date of the approval thereof (or the date of the approval of the last phase thereof if submitted in phases), then the approval shall be void and the entire matter resubmitted to the Planning Commission for reconsideration in light of existing circumstances to the same extent as if the same were simply a proposed Final Development Plan; provided, however, that the County Commissioners may grant not more than two extensions of time of one year each to be added to said five year period if they consider such extension to be proper after the receipt and consideration of a report and recommendation from the Planning Commission with respect to such extension or extensions.
- 17.0313 Any construction which has been commenced shall not be subject to reconsideration upon any resubmission of a Final Development Plan under this Section, and the County Commissioners shall make no changes in the Final Development Plan except in relation to areas where construction has not been commenced. During any such reconsideration the property covered by the Final Development Plan shall continue to be bound until such Plan is changed or disapproved in the manner described above.

Section 18---CLASSIFICATION AND STUDY OF USES

- 18.01 Classification of Uses: Uses shall be classified in the order in which they are permitted in the districts as they appear under Section 2, the highest classification being uses permitted in the R-90 District and the lowest classification being uses permitted in the M-2 Districts.
- 18.02 Study of Uses: The Planning Commission, the Zoning Commissioner and the Board of Zoning Appeals shall study property uses generally and their effect upon each other and the community, and the specific uses permitted in the several zoning districts and shall, from time to time, as business, manufacturing and industrial techniques develop and change, recommend the addition of uses of the same general character to the list of uses permitted as a matter of right in any zoning district, or that certain uses shall be excluded from a particular district or shall require approval of the Board of Appeals in the M-2 Districts or under uses limited as to location in Section 19. However, no such addition or change shall become effective until approved by the County Commissioners as provided in Section 33 of these regulations and in compliance with Chapter 19 of the Acts of the General Assembly of Maryland, Extraordinary Session of 1948, as amended by Chapter 604 of the Acts of 1953.



AMENDMENT NO. 17      Adopted June 10, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations.

Sections Affected: 7 (Sub-secs); 21.023

Zoning Case No. 407              Hearing Date May 18, 1965

Amendment:

The several Sub-sections herein referred to, be, and they are hereby, amended to read as follows:

- 7.012 Garden type apartment projects provided that not more than 16 dwelling units on two floors in any one building, except that when a building is constructed on terrain where one side of basement has a clear height above ground level, additional dwelling units shall be permitted at the basement level. It is further provided that a site plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall be submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. Public water and sewerage facilities shall be provided or an agreement with the Metropolitan Commission for the same shall be made before the issuance of any permit. The site plan shall have final approval of the above commissions and public departments before any construction is started within the project area.
- 7.032 The height of garden type apartment buildings shall not exceed three stories or 35 feet, measured from the ground adjacent to the lowest floor level.
- 7.042 FRONT YARD  
Front yard of not less than 50 feet shall be provided for each building, provided that where the front lot line is adjacent to a freeway or primary road, a front yard of not less than 100 feet shall be provided. Where a building is adjacent to a private road with parking areas on each side thereof, the front yard shall be measured from the edge of the paving of such parking areas and shall be a minimum of 40 feet.
- 7.0453 Between the end walls of a building or the end and front or rear of another building 50 feet. Provided, however, that not more than three buildings may be grouped with overlapping common walls, such overlapping shall not be more than 80% of the length of the shortest wall.

7.0454 Between corners of adjacent buildings that do not face each other or overlap, 40 feet at any point.

7.06 OTHER REQUIRED FACILITIES

Every garden type apartment project shall provide adequate laundry facilities, proper maintenance of halls and other public areas. All open spaces in the project areas, except driveways and parking compounds, shall be planted and landscaped, and shall be maintained at all times.

21.023 Garages and accessory buildings, except as provided in Sections 21.021 & 21.022, shall not exceed a height of 15 feet, exclusive of basement.



AMENDMENT NO. 18      Adopted June 10, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 23

Zoning Case No. 409      Hearing Date June 1, 1965

AMENDMENT:

Amend Sub-sections 23.01 and 23.02 of the Zoning Regulations of Howard County so that the respective Sub-sections read as follows:

23.01 For the following uses of buildings hereafter erected or increased in size existing at the time of the adoption of these regulations, or for uses hereafter established, off street parking facilities, consisting of paved parking areas with paved ingress and egress way to an approved street, shall be provided. The paving specifications shall be a 5" minimum thickness base course of crusher run crushed stone or bank run gravel, with a triple bituminous surface treatment consisting of: (a) 5/10 gal. asphalt and 75 lb. of #3 stone per square yd.; (b) 7/10 gal. asphalt and 50 lb. of #4 stone per sq. yd.; (c) 5/10 gal. asphalt and 30 lb. of #7 stone per sq. yd., all in accordance with Howard County Roads Department Standard Specifications. These specifications are minimum and may be upgraded, but in either case, all materials shall be approved before use and the finished work shall be approved after completion, by the Howard County Road Department. The minimum paved width of ingress and egress way to parking spaces shall be: for no side parking or for parallel side parking 16 ft.; for 45 degree angular side parking 20 feet; for 90 degree perpendicular side parking 24 feet.

23.02 A car space shall be a useable area of not less than 200 sq. ft. in area and not less than 9 ft. in width, except that for parallel side parking parallel to an ingress and egress way the width shall be 7 ft., all paved as specified in Section 23.01. Such space(s) shall be accessible from an approved street or ingress-egress way as specified in Section 23.01.



AMENDMENT No. 19 Adopted July 1, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 37.24

Zoning Case No. 406 Hearing Date June 22, 1965

AMENDMENT:

Amend Sub-section 37.24 of the Zoning Regulations of Howard County so that the Sub-section reads as follows:

37.24 RESEARCH AND ENGINEERING LABORATORIES

Building or buildings, designed with architectural and open space compatible with the adjacent community, used for the inquiry and investigation in the effort to find new information in any scientific field by experiment or by investigation of sources and limited to the basic and applied research phase of the inquiry; not including, however, any manufacturing, industrial operations or pilot plant involving machines or operations normally associated with production or assembly lines, or the production of goods in quantity above that needed for product testing and evaluation.



AMENDMENT NO. 20 Adopted September 23, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 30.12

Zoning Case No. 411 Hearing Date July 1, 1965

AMENOMENT:

Add a new sub-section 30.12 to read as follows:

30.12 In addition to the uses permitted in the R-20 (Residential) and B-1 (Business- Local) districts existing in Ellicott City on both sides of Route 144 (Main Street) between the Patapsco River and Rogers Avenue and around the depot yard, the Board of Zoning Appeals may approve applications for the uses permitted in the M-R (Manufacturing Restricted) districts as heretofore provided in Section 14 of these regulations and because of the shallowness and irregular shapes of the lots and exceptional topographic conditions existing in said areas, as well as the congestion of existing buildings, The Board of Zoning Appeals may, where it is exceptionally difficult, if not impossible, to comply with the area, height and parking space requirements of the Section 14 aforesaid, make such variations and variances and grant such special permits as will prevent unwarranted hardship or injustice, and at the same time, most nearly accomplish the purpose and intent of these regulations, as far as the same can be done within said area, emphasizing the traditional architecture and appearance of the town.



AMENDMENT NO. 21 Adopted September 30, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 33.01

Zoning Case No. 416 Hearing Date September 14, 1965

AMENDMENT:

Amend Sub-section 33.01 to read as follows:

- 33.01 These regulations, restrictions, and provisions and the boundaries of the districts may from time to time be amended, supplemented, changed, modified or repealed by the County Commissioners. However, no change or amendment shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Before said hearing can be scheduled before the County Commissioners, a petition must be filed in the office of the Zoning Commissioner which will include, but not be limited to the following information:
- 33.011 A statement as to the present use or uses of the property.
- 33.012 A statement as to the present owner of the property, date of acquisition, name of previous owners.
- 33.013 A statement of the reason or reasons for the requested change in zoning.
- 33.014 A statement as to whether or not there is an allegation of mistake as to the current zoning, and if so, what is the nature of the mistake and facts to support allegations.
- 33.015 A statement as to whether or not there has been a change in the character of the neighborhood and if so, the nature of the change and facts to support the allegation and a statement as to why the petitioner concludes that the change sought is the proper one.
- 33.016 A statement of the intended use of the property in the event that it is rezoned.
- 33.017 A statement of any other factors which the Petitioners desire the Board to consider in passing upon the petition.
- 33.018 A statement as to whether or not the property is served by public water and sewage.
- 33.019 Drawings, in number required for proper processing and hearing of the petition, where a parcel of land, and/or building as defined in the Zoning Regulations, is involved in that which is petitioned for, drawn to scale and showing thereon:

- 33.019A Courses and distances of outline boundary lines and the area thereof;
- 33.019B North Arrow;
- 33.019C Existing zoning of subject property and adjoining property;
- 33.019D Location, extent, boundary lines and area of any proposed change in existing zoning and/or use;
- 33.019E Any existing or proposed building, structures, signs, streams, quarries, and other objects and/or uses on subject property which may be relevant to the petition;
- 33.019F Same as 33.019E above, if any, of adjoining property which may be required in the proper examination of petition;
- 33.019G Location of subject property in relation, by approximate dimension, to nearest inter-section of two public roads;
- 33.019H Ownership of effected roads;
- 33.019J Election District in which subject property is located;
- 33.019K Tax map and zoning map number on which subject property is located;
- 33.019L Name of local community in which subject property is located or is near;
- 33.019M Name and mailing address of property owner;
- 33.019N Name and mailing address of applicant (Petitioner);
- 33.019P Name and mailing address of attorney, if any;
- 33.019Q Any other information as may be necessary for full and proper consideration of the petition.
- 33.0110 After said hearing has been scheduled, at least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation throughout the County, and if the proposed amendment involves a change in a zoning district boundary line, the property involved shall be posted, as directed by the County Commissioners, for a period of 15 successive days immediately preceding the hearing. Failure to comply with any of the requirements as stated above will cause the said petition to be rejected by the Board of County Commissioners.



AMENDMENT NO. 22 Adopted December 28, 1965

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 22.03

Zoning Case No. 432 Hearing Date November 2, 1965

AMENDMENT:

Add a new sub-section 22.03 to read as follows:

22.03 In areas where a Major Street Plan has been duly adopted by the Planning Commission as provided by Chapter 424 of the laws of Maryland, 1951, as amended, showing a proposed new highway or street or a proposed relocation or widening of an existing highway or street, no building or part of a building shall be permitted to be erected within the lines of such proposed highway or street. The Buildings Engineer upon technical advice of the Planning authorities shall not approve such a permit and shall certify the reason therefore to the County Commissioners as set forth in Section 4 of the Code of Public Local Laws of Howard County.

The owner of the property so affected, however, shall have the right to appeal the refusal of a permit to the Board of County Commissioners and the Board may grant a permit to build if it should find, upon the evidence and arguments presented to it upon such appeal: (A) That the entire property of the appellant of which the area affected by the Master Plan forms a part, cannot yield a reasonable return to the owner unless such appeal be granted, and (B) That balancing the interest of the general public in preserving the integrity of the plan and the interest of the owner of the property in the use and benefits of his property, the granting of such permit is required by consideration of reasonable justice and equity.

In granting the permit the Board shall have and shall exercise the authority to attach such appropriate conditions to the permit that will result in either causing the least deviation from the planned road, or which will minimize the later cost of opening the street or both.



AMENDMENT NO. 23 Adopted March 22, 1966

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 19.29

Zoning Case No. 429 Hearing Date January 27, 1966

AMENDMENT

Amend Section 19.29 to read as follows:

- 19.29 The Board may approve on any farm in the R-90 to R-20 Districts, processing and distribution facilities for sale of milk and dairy products, at least 10% of which must be produced on said farm, and distribution facilities for the sale of said milk, dairy products, and other food products customarily distributed on milk truck routes, in conjunction with such milk and dairy products and incidental thereto, provided that:
- 19.291 The area of the lot to be used shall not be less than 100 acres.
- 19.292 Off-street parking, loading and unloading facilities shall be constructed in accordance with Section 23.
- 19.293 No buildings shall be extended or erected or used within 300 feet of a street or within 500 feet of any other property line.



AMENDMENT NO. 24 Adopted May 3, 1966

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Sections Affected: 19.27, 19.272 & 19.273

Zoning Case No. 436 Hearing Date April 14, 1966

AMENDMENT:

Amend Sections 19.27, 19.272 & 19.273 to read as follows:

- 19.27 The Board may approve in the R-40 and R-20 Districts a tea room or restaurant in an existing dwelling or structure and additions thereto, and may, as an adjunct thereto, approve a dinner-theatre in said existing building or structure or in any addition thereto provided that:
- 19.272 Off-street parking shall be constructed in accordance with Section 23, that is, if a tea room or restaurant, in the amount of at least one parking space per table for four persons, or if a tea room or restaurant and dinner-theatre combined, then the greater of the foregoing provision or the provision of Section 23.014 shall be applicable.
- 19.273 Meals shall be served only at tables, indoors or on an outdoor terrace, or within the enclosed dinner-theatre area, and not to persons remaining in cars.



AMENDMENT NO. 25 Adopted June 7, 1966

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 21.013

Zoning Case No. 438 Hearing Date May 12, 1966

AMENDMENT:

Add new sub-section 21.013 to read as follows:

21.013 Ornamental Basket Weave and Stockade type fences which have the approval of the Buildings Engineer and which do not exceed 6 feet in height and which are not located within ten (10) feet of any residential building on adjoining property and which do not project within a required front yard or a required side yard bounding on any street or right-of-way, shall be permitted within other side yards in Residential Zoning Districts R-90 to R-12 inclusive.





AMENDMENT NO. 26 Adopted September 15, 1966

To Third Edition (May 16, 1961) of Howard County Zoning Regulations

Section Affected: 4.015

Zoning Case No. 449 Hearing Date September 15, 1966

AMENDMENT

Amend Section 4.015 to read as follows:

4.015 Fire houses for the housing of firefighting equipment, police stations, Court houses, County owned office buildings and facilities of the Howard County Metropolitan Commission and all buildings and facilities owned, operated or dedicated to the County Government operation or purposes.



AMENDMENT NO. 27                    To Third Edition 1961  
AMENDMENT NO. 1                    To Fourth Edition 1966

Adopted November 16, 1967                    Howard County Zoning Regulations

Section Affected: 14.042

Zoning Case No. 477                    Hearing Date: November 16, 1967

AMENDMENT

Amend Section 14.042 to read as follows:

14.042 COVERAGE OF LOT

No building or structure, plus any permissible accessory structures, shall cover in the aggregate, more than 40 per cent of the area of any lot.



AMENDMENT NO. 28 To Third Edition 1961  
Supercedes Amendment No. 24

AMENDMENT NO. 2 To Fourth Edition 1966

Adopted March 7, 1968 Howard County Zoning Regulations

Section Affected: 19.27

Zoning Case No. 488 Hearing Date: February 28, 1968

AMENDMENT

Amend Section 19.27 to read as follows:

- 19.27 The Board may approve in the R-40 and R-20 Districts a tea room or restaurant in a dwelling or structure and additions thereto, whether existing or to be constructed, and also may approve a dinner-theatre in a building or structure or in any addition thereto, whether existing or to be constructed, provided that:
- 19.271 The minimum lot size shall be 5 acres.
- 19.272 Off-street parking shall be constructed in accordance with Section 23, that is, if a tea room or restaurant, in the amount of at least one parking space per table for four persons, or if a tea room or restaurant and dinner-theatre combined, then the greater of the foregoing provision or the provision of Section 23.014 shall be applicable.
- 19.272A If the use to be conducted is that of a dinner-theatre, the off-street parking requirement shall be in accordance with the provisions of Section 23.014 of these said Zoning Regulations.
- 19.273 Meals shall be served only at tables, indoors or on an outdoor terrace, or within the enclosed dinner-theatre area, and not to persons remaining in cars.



AMENDMENT NO. 29

To Third Edition 1961

AMENDMENT NO. 3

To Fourth Edition 1966

Adopted May 2, 1968

Howard County Zoning Regulations

Section Affected: 14.041

Zoning Case No. 496

Hearing Date: April 18, 1968

AMENDMENT

Repeal Section 14.041 and re-enact said Section to read as follows:

14.041 REQUIRED SIZE OF LOT

An M-R District must comprise at least 5 acres. An individual tract within an M-R District may be less than five acres and can be conveyed, leased or sold provided that a site plan showing the design and layout, ingress and egress, storm drainage and public water and sewerage facilities shall be first submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County. The site plan shall have final approval of the above commissions and departments and other interested public departments before any construction is started.





AMENDMENT NO. 30      To Third Edition    1961  
AMENDMENT NO. 3      To Fourth Edition   1966

Adopted November 7, 1967      Howard County Zoning Regulations

Sections Affected: 11.043; 14.043; 15.021; 16.021; 15.022; 16.022; 15.0140

Zoning Case No. 462      Hearing Date: May 25, 1967

AMENDMENT

1.      Repeal and re-enact with amendments Sections 11.043, 14.043, 15.021, 16.021, 15.022 and 16.022.
2.      Add a new Section to be known as Section 15.0140.

✓ 11.043    SIDE YARDS  
No side yards shall be required, except that for a corner lot a side yard along the side street of not less than 25 feet shall be provided.

14.043    DISTANCE FROM ROADS AND HIGHWAYS  
No building or accessory building or use of any kind shall be situated nearer than 150 feet to the nearest right-of-way of any public road or highway abutting the property. Provided, however, that the distance of buildings or accessory buildings or use of any kind from the right-of-way of an interior road may be reduced to 50 feet. An interior road is defined as that which is completely within the M-R District and not adjacent to a Residential District. At least ten feet immediately adjacent to any street abutting the property shall be planted in grass or landscaped and such planting and/or grass strips shall be maintained at all times.

15.021    COVERAGE OF LOT  
No maximum building coverage shall be required.

16.021    COVERAGE OF LOT  
No maximum building coverage shall be required.

15.022    DISTANCE FROM ROADS  
No building or accessory building or use of any kind or employee parking area shall be situated nearer than 50 feet to the nearest right-of-way of any public road or highway abutting the property.

16.022 DISTANCE FROM ROADS

No building or accessory building or use of any kind or employee parking area shall be situated nearer than 50 feet to the nearest right-of-way of any public road or highway abutting the property.

15.0140 Metal products from previously manufactured metals excluding forging and the processing of metals heavier than 16 gauge.

*Already added to book*

AMENDMENT NO. 31

To Third Edition 1961

AMENDMENT NO. 4

To Fourth Edition 1966

Adopted July 9, 1968

Howard County Zoning Regulations

Section Affected: 17A

Zoning Case No. 482

Hearing Date: December 21, 1967

#### AMENDMENT

Add a new Section to be known as Section 17A to immediately follow Section 17, and to read as follows:

#### SECTION 17A - PLANNED COMMUNITY (PC) DISTRICTS

The County Commissioners hereby amend the Zoning Regulations of Howard County by establishing a new zoning District to be known as "Planned Community" (and to be designated as "PC District") at such location or locations on the zoning map as may be designated by the County Commissioners under the procedure and subject to the limitations set forth in this Section.

17A.01 DEFINITIONS, REQUIREMENTS AND RESTRICTIONS APPLICABLE TO PC DISTRICTS

17A.011 No PC District shall be created except by the procedure set forth in Section 17A.02 hereof. Each PC District must contain a total area of at least 400 acres. To qualify under this Section any land proposed to be designated as a PC District must be contiguous. Lands which are divided by streets, roads, ways, highways, transmission pipes, lines or conduits, or rights of way (in fee or by easement) owned by third parties shall be deemed to be contiguous for purposes of this Section 17A. No PC District shall be established except upon land the beneficial title to which is in the person, firm or corporation executing the petition referred to in Section 17A.021 hereof. The tenant under a lease having a term of not less than seventy-five years shall be deemed to be the holder of the beneficial title to the land covered by the lease for the purpose of this Section 17A.

17A.012 No PC District shall have a greater overall population Density than that produced by the number of "dwellings," as defined in Section 37.10 of the Zoning Regulations of Howard County, permitted under the provisions of this Section 17A.012. The maximum number of dwellings permitted within a PC District shall be calculated by multiplying the total number of acres within the entire PC District (without excluding any areas regardless of their use) by the average number of dwellings per acre permitted within the PC District as specified in the "Final Development Plan," as hereinafter defined; provided, however, that in

no event shall the average number of dwellings per acre permitted in any PC District exceed 2.5. Within each PC District the following additional density restrictions shall apply:

- (a) In areas designated "single family -- low density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas, so designated within the PC District and shall be calculated by multiplying the number of acres within all areas so designated by 1.5.
- (b) In areas designated "single family -- medium density" on the Final Development Plan, the maximum number of dwellings permitted shall relate to the overall total number of dwellings in all areas so designated within the PC District and shall be calculated by multiplying the number of acres within all areas so designated by three.
- (c) In areas designated "Apartments" on the Final Development Plan the maximum number of "apartments," as defined in Section 37.04 of the Zoning Regulations of Howard County, permitted shall relate to the overall total number of apartments in all areas so designated within the PC District and shall be calculated by multiplying the number of acres within all areas so designated by fifteen.

17A.013 The use of land within the PC Districts shall be limited to those uses specified in the "Final Development Plan"; all uses permitted by right or by special approval in any district, except those uses permitted only in M-R, M-1, T-1, T-2 and M-2 Districts, shall be permitted in a PC District provided, however:

- (a) That in areas designated "single family -- low density" no lot area shall be smaller than 16,000 square feet, and in areas designated "single family -- medium density" no lot area shall be smaller than 8,000 square feet.
- (b) No attached or semi-detached houses shall be erected except:
  - (1) in areas designated "Apartments" on the Final Development Plan;
  - (2) in groups having no more than 10 dwellings attached to one another;
  - (3) in such numbers as not to exceed 10 dwellings for each acre of such use, calculated by multiplying the number of acres so designated by 10; and
  - (4) in such physical relation to each other and to other uses as may be specifically approved on a subdivision layout submitted as part of the Final Development Plan;
- (c) Uses permitted by right or by special approval in B-1, B-2 and S-C Districts shall not be permitted in PC Districts except to the ex-

tent that they are designed and intended to serve the residents of the community being developed in the PC District and the area devoted to such permitted B-1, B-2 and S-C uses shall in no case exceed 5% nor less than 2% of the total area of any District.

- (d) Areas designated "Apartments" shall not, in any case, exceed 10% of the total area of any District.
- (e) Each PC District shall have a minimum of 20% of the total area devoted to open space uses of which at least one-half shall be available and open for use of the residents of the PC District. As used in this Section 17A.013, the term "open space uses" is defined as being those uses which do not involve any extensive coverage of land with buildings, as, for example, but not limited to, all lands devoted to the raising of crops, plant nurseries, agricultural uses, parks, playing fields, golf courses, hunting or fishing lodges and any other outdoor recreational uses (whether any such uses be publicly owned or privately owned or operated for profit), as well as all lands covered by lakes, rivers or streams, and all lands devoted to public or community uses.
- (f) Land must be at least of 2 contiguous acres to be qualified as "open space use". The term "open space uses" shall not include parking lots, vehicular rights-of-way, amusement parks, golf driving ranges unless associated with golf courses, or drive-in movies.
- (g) The applicant shall deed to the Board of Education, land determined by said Board to be needed for public schools. Said land to be fully credited as open space use; provided that any Board requirement in excess of 15% of the minimum area designated for open space use must be purchased by the Board and will not be credited as open space use.
- (h) All lands approved as open space use on the Final Development Plan of the PC District shall be conclusively presumed to satisfy the requirements of this Section 17A.013. At the option of the applicant, open space tracts shall be:
  - (1) retained permanently by him, or
  - (2) retained temporarily by him pending organization of an incorporated local residents association, which association shall ultimately take title to the open space.

Whether such tracts are retained by the applicant or conveyed to an association, plans for improvement and maintenance of these tracts must be approved by the Zoning Authority, and suitable deed covenants made to assure both continuing use of the tracts for local open space purposes and proper operation and maintenance of the same to said Zoning Authority's

satisfaction. The local open space tract shall be suitably managed and maintained primarily for the use of nearby residents. The Zoning Authority, by regulation, shall stipulate the necessary qualifications for such an association to engage in the ownership, improvement or maintenance of local open space tracts.

- 17A.014 Except for accessory uses as hereinafter provided, no building or other structure within a PC District shall be:
- (a) erected except at the general location shown for it on the Final Development Plan, or
  - (b) used for any purpose other than the use designated for it on the Final Development Plan.
- 17A.015 Except as otherwise provided in the Final Development Plan, the following restrictions shall be applicable to PC Districts:
- 17A.0151 Access shall be provided from every use site to a public street or to a system of common streets and ways connecting with the public street system.
- 17A.0152 The minimum residential floor area requirements of the Zoning Regulations of Howard County shall be applicable to comparable residential uses within the PC District. However, each attached or semi-detached dwelling unit shall contain a minimum of 1080 square feet of gross floor space, excluding the basement.
- 17A.0153 Off-street parking requirements of Section 23 of the Zoning Regulations of Howard County shall be applicable.
- 17A.0154 The sign regulations applicable to the various uses in the Zoning Regulations of Howard County shall apply to comparable uses within the PC District.
- 17A.0155 Subject to the provisions of this section relating to specific uses, all provisions of these Regulations relating to B-1, B-2 and S-C Districts (except those restrictions relating to minimum lot size, height limitations, parking requirements, front, side and rear yard areas, set back provisions and coverage requirements, to controls afforded by the Final Development Plan set forth in Section 17A.024(e) being substituted therefor) shall apply to those areas in the PC District designated on the approved Final Development Plan for uses corresponding to those permitted in the aforesaid districts.
- 17A.016 The accessory use provisions of these regulations shall be applicable to all comparable uses within the PC District and Section 24 of the Zoning Regulations of Howard County shall be applicable.
- 17A.017 Each PC District shall provide adequate public water and sewer facilities and all utility lines and appurtenances constructed to serve the PC District shall be placed underground except where unusual hardship is

adequately proved.

17A.018 Anything in other Sections of these Regulations to the contrary notwithstanding, there shall be no restrictions upon the use of, or on the erection of buildings and structures on, land within a PC District other than such as are provided in the various subsections of this Section 17A, or in such other Sections of these Regulations as are expressly stated to be applicable by the various provisions of this Section 17A. Nothing herein shall render inapplicable any regulation of the County relating to construction requirements and/or subdivision approval to the extent that any of the same are not inconsistent with the provisions of this Section 17A.

17A.018A Each PC District must provide each of the following uses in the following proportions:

	(1)	(2)
	Minimum	Maximum
	Percentage	Percentage
	of Total	of Total
	Area of the	Area of the
	District	District
Open Space Uses	20%	NA
Single Family-Low Density	30%	NA
Single Family-Medium Density	35%	NA
Apartments	NA	10%
B-1, B-2 and S-C Uses	2%	5%
Other uses presently permitted in residential districts other than those permitted only in T-1 or T-2 Districts	NA	10%

NOTE: N/A means Not Applicable

17A.02 PROCEDURE FOR CREATION OF PC DISTRICTS

17A.021 The beneficial owner of any tract of land in Howard County meeting the requirements of Section 17A.011 may petition the County Commissioners to designate the property described in the petition as PC District if a minimum of Fifty (50%) percent of such tract of land is classified in the R-20, R-16, or R-12 District at the time of the petition for the PC District. The petition, or the petition together with any schedules attached thereto, shall contain:

- (a) The exact name and address of the petitioner and a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property in question to the Petitioner is recorded (if the petitioner is not the legal as well as beneficial owner of the property, the petition shall (i) so state, (ii) list the exact name and address of the legal

- title holder and give a reference to the liber and folio of the Land Records of Howard County at which the deed conveying the property to the legal title holder is recorded, and (iii) contain a written assent to the petition signed by the legal title holder);
- (b) a metes and bounds description of the property covered by the petition and a survey thereof demonstrating that the same meets the requirements of Section 17A.011;
  - (c) a preliminary Development Plan of the property covered by the petition. As used in this Section 17A, the term "Preliminary Development Plan" shall mean a generalized drawing or series of drawings of the proposed PC District, with appropriate text materials, setting forth:
    - (1) the proposed general layout of major roads and highways;
    - (2) a statement of the number of acres within the proposed PC District intended to be devoted to --
      - (i) residential uses, broken down into the number of acres to be used for each of the following specific residential uses:
        - a. single family -- low density areas;
        - b. single family -- medium density areas;
        - c. apartment areas;
      - (ii) permitted commercial uses; and
      - (iii) open space uses;
    - (3) the general location of the uses referred to in subparagraph (2) above, including proposed sites for any recreational uses, schools, parks and other public or community uses and permitted commercial uses;
    - (4) a description of the proposed drainage, water supply, sewerage and other utility facilities.
    - (5) a statement of the intended overall maximum density of population of the proposed PC District, expressed in terms of the average number of dwellings per acre; and
    - (6) a statement showing how the Petitioner proposed to comply with the open space provisions of these Regulations, setting forth the method of assuring open space preservation and maintenance.

17A.022 The petitioner shall file fifteen copies of the above described petition and all schedules annexed thereto with the Zoning Commissioner, who shall, in turn, transmit five sets of the same to the Planning Commission and to the Howard County Metropolitan Commission and each such agency shall within 45 days after receipt of the petition issue a written report and recommendation thereof to the County Commissioners. In considering the petition and in making its recommendation and report thereon, the Planning Commission shall consider the matters set forth in Sections 1 and 2 of the Zoning Regulations



Howard County as well as the Master Plan for the County, and the Howard County Metropolitan Commission shall consider the availability of water and sewerage facilities.

17A.023

After the Planning Commission and the Howard County Metropolitan Commission shall have issued their respective recommendations and reports, the County Commissioners shall schedule a public hearing at which parties in interest and citizens of Howard County shall have an opportunity to be heard. Public notice of the hearing and the posting of the property in question shall be subject to the provisions of Section 33.01 of the Zoning Regulations of Howard County. Following the public hearing, and after considering the reports and recommendations of the Planning Commission and the Howard County Metropolitan Commission, the County Commissioners shall approve or disapprove the petition. In so doing, the County Commissioners shall give due regard to the matters set forth in Sections 1, 2 and 33.03 of the Zoning Regulations of Howard County, and more particularly shall consider the following guides and standards; the appropriateness and harmony of the location of the PC District as evidenced by the General Plan of Howard County; the effect of such district on the surrounding neighborhood; the physical character and features of the county and the character of the land within the PC District and its particular suitability for PC development; the most appropriate use of the land; population trends throughout the County and the surrounding metropolitan region; the needs for adequate open space, preservation of the scenic beauty of the County; control of soil and water resources; the availability of essential services; especially water and sewerage; the necessity of providing additional facilities such as fire protection, schools, parks, and public protection; traffic problems and their relation to public safety and welfare; the road improvement plans of the State and County; and such matters relevant and pertinent to the relationship of the PC District to the comprehensive zoning map of the area. The petition shall be granted only if the County Commissioners affirmatively find ---

- (i) that the petition complies with the provisions of Section 17A.021;
- (ii) that the petition evidences compliance with the requirements of Section 17A.01;
- (iii) that a PC District located at the proposed site is in harmony with the general Plan of Development and will not adversely affect the surrounding neighborhood;
- (iv) that the Preliminary Development Plan constitutes a general land use plan for the area covered thereby designed to meet the objectives set forth in Section 1 (VI) of this regulation.

If the petition is approved:

- (a) a copy of the Preliminary Development Plan shall be certified as approved by the County Commissioners and a verified copy of the same shall be forwarded to the Planning Commission, the Howard County Metropolitan Commission, and the Petitioner;
- (b) the zoning map of the county shall be amended so as to designate the area of the new PC District;
- (c) all prior existing zoning controls over the property so designated as a PC District which are inconsistent with the Preliminary Development Plan shall cease;
- (d) no further permanent improvements involving any new primary uses shall thereafter be erected on, and no new primary uses made of, any part of the land within the new PC District prior to the approval of the Final Development Plan (or the phase thereof covering such development) as hereinafter provided, except for such as may be specifically approved by the Planning Commission, but petitioner shall discontinue any such use and demolish any such improvements so permitted by the Planning Commission if such use and such improvements are not ultimately permitted by the Final Development Plan.

17A.024 As used herein, the term "Final Development Plan" shall mean a drawing, or series of drawings, at a scale of one inch equals 100 feet, with appropriate text material, setting forth with respect to the entire PC District;

- (a) the permitted locations of all
  - (i) public streets and roads,
  - (ii) public easements and rights-of-way,
  - (iii) major lines and conduits supplying water, sewerage, electrical and other utility services and
  - (iv) drainage facilities, both on-site and off-site;
- (b) the permitted locations of all sites for any recreational school, park and other public or community use;
- (c) the preliminary subdivision plat showing all proposed lot and parcel lines; and
- (d) the proposed general locations of all buildings and structures and the permitted "general use" or "specific use," as hereinafter defined, of each building and structure, except that no uses shall be specified which are permitted only in T-1, T-2, M-R, M-1 and M-2 Districts. Where the Final Development Plan designates the use of a particular building or structure as "uses permitted in a . . . . District" (e.g., "uses permitted in a B-1 District"), then the building or structure may be used for all uses permitted in the particular District by the several sections of these Regulations, the use so designated being herein referred to as a "general use." Where, however, the Final Development Plan desig-

ates a structure or a particular use (e.g., "retail store"), the building or structure must be used for that particular use only, the use so designated being herein referred to as a "specific use."

- (e) height limitations, parking requirements, front, side and rear yard areas, set back provisions, minimum lot sizes and coverage requirements, stated generally and/or specifically with respect to particular improvement or types of improvements.

17A.025 Within thirty days following notification of the approval of the Preliminary Development Plan, the petitioner shall notify the Planning Commission of the target date for the presentation to the Planning Commission of a proposed Final Development Plan of the PC District, or of the first phase of a proposed Final Development Plan if the petitioner desires to develop the PC District in separate geographical segments.

17A.026 Promptly following the giving of such notice as provided in 17A.025 to the Planning Commission, the petitioner shall commence the preparation of a proposed Final Development Plan in accordance with that time schedule. Upon completion of each phase thereof if the petitioner elects to develop the PC District in separate geographical segments, the petitioner shall deliver five copies of the same to the Planning Commission for its consideration. After review of the Material submitted in light of the General Plan for the County, and after giving the petitioner an opportunity to be heard, the Planning Commission shall:

- (a) approve the proposed Final Development Plan (or the particular phase thereof) as submitted by the petitioner;
- (b) approve the proposed Final Development Plan (or the particular phase thereof) as changed by the Planning Commission and acceptable to the Petitioner; or
- (c) reject the proposed Final Development Plan (or the particular phase thereof) in its entirety.

17A.027 In acting upon a proposed Final Development Plan (or the particular phase thereof) the Planning Commission shall be guided by the provisions of Sections 1, 2 and 17A.023 of these Regulations and shall particularly consider:

17A.0271 The location and adequacy of all streets and ways, in relation to the highway plans of the County and State.

17A.0272 The location and adequacy of public utility and community facilities, including recreational uses and school properties, in relation to the density and distribution of population.

17A.0273 The location, extent and potential use of open space in the form of greenbelts, walkways, parkways, park land, etc., as it affects the general amenity of the community.

- 17A.0274 The impact of the proposed commercial uses on the residential uses within the PC District or adjacent thereto.
- 17A.0275 The validity of the Final Development Plan (or particular phases thereof) as determined by good planning and design principles, regarding; circulation(automobile and pedestrian), grouping of land use areas for compatible relationships, organization of the Plan in relation to the neighborhood center and the convenience, enjoyment and general welfare of the future residents.
- 17A.028 In considering the matters set forth in Section 17A.027, the Planning Commission shall be entitled to consult with, or request reports from the Howard County Metropolitan Commission, the Health Department of Howard County, the Buildings Engineer and any other public departments or agencies of the County or State.
- 17A.029 The Planning Commission shall not unreasonably disapprove a proposed Final Development Plan, or any phase thereof. The fact that the proposed Final Development Plan, or any phase thereof, is not in substantial conformity with the Preliminary Development Plan shall be sufficient ground for disapproval. The Planning Commission shall approve no Final Development Plan which varies the areas of uses below the minimum or above the maximum percentages for particular uses specified in Section 17A.018A.
- 17A.030 In applying the provisions of this Section 17A, where the proposed Final Development Plan is submitted in phases, the overall population density and the acres devoted to particular uses shall be recomputed upon the consideration of each successive phase of the proposed Final Development Plan so as to include all prior phases, but in making these recomputations, the gross area of the entire PC District covered by the Preliminary Development Plan shall be considered and not merely the area of the segments covered by the prior phases of the proposed Final Development Plan and the current phase being submitted for approval.
- 17A.031 If the Planning Commission shall disapprove the proposed Final Development Plan (or any phase thereof), or shall fail to approve or disapprove the same within sixty days after submission, then the petitioner, at his election, may take an appeal as permitted by law or may submit the proposed Final Development Plan (or the phase thereof in question) directly to the County Commissioners. If the petitioner pursues this latter course, the County Commissioners shall hold a public hearing on the proposed Final Development Plan (or the phase thereof in question), shall require publication and posting of the property, shall ask for recommendations from the Planning Commission and the Howard County Metropolitan Commission, all as in the case of the hearing on the Preliminary Development Plan. After such hearing and the receipt of such reports and recommendations as may

be forthcoming within 45 days after such requests, the County Commissioners may approve, with or without changes, or disapprove the proposed Final Development Plan (or the phase thereof in question). In making this decision the County Commissioners shall consider the matters set forth in Section 17A.027 hereof.

- 17A.032 Upon approval of the Final Development Plan (or upon the approval of each phase thereof if submitted on a separate segment basis) as above provided the same shall be recorded among the Land Records of Howard County and the provisions thereof as to land use shall bind the property covered thereby as provided in Section 17A.01 with the full force and effect of specific Zoning Regulations. After such recordation, no new structure shall be built, no new additions to existing structures made, and no change in primary use effected, different from that shown on the Final Development Plan except by an amendment to the Final Development Plan. Such an amendment may be requested by any interested party and the proposed amendment shall be governed by all of the foregoing provisions relating to the approval of the Final Development Plan. Changes in accessory uses shall be permitted pursuant to applications for Certificates of Occupancy.
- 17A.033 At any time before the County Commissioners have acted pursuant to Section 17A.023 hereof, the original petitioner may amend his petition for a PC District so as to include additional and contiguous land owned by him and adjacent to the land described in the original petition. If the County Commissioners have approved a petition under Section 17A.023, then at any time thereafter the original petitioner may file a new petition to annex additional land to the PC District so as to include additional land owned by him and adjacent to the existing PC District. Such new petition shall be subject to all of the provisions of this Section 17A, except that the minimum area requirements under Section 17A.011 shall not apply.
- 17A.034 If construction has not been commenced or completed to the extent of 25% of the ground floor area of the buildings shown on the approved Final Development Plan within five years after the date of the approval thereof (or the date of the approval of the last phase thereof if submitted in phases), then the approval shall be void and the entire matter resubmitted to the Planning Commission for reconsideration in light of existing circumstances to the same extent as if the same were simply a proposed Final Development Plan; provided, however, that the County Commissioners may grant not more than two extensions of time of one year each to be added to said five year period if they consider such extension to be proper after the receipt and consideration of a report

and recommendation from the Planning Commission with respect to such extension or extensions.

Any construction which has been commenced (and completed) shall not be subject to reconsideration upon any resubmission of a final Development Plan under this Section, and the County Commissioners shall make no changes in the Final Development Plan except in relation to areas where construction has not been commenced. During any such reconsideration, the property covered by the Final Development Plan shall continue to be bound until such Plan is changed or disapproved in the manner described above.

AMENDMENT NO. 32      To Third Edition    1961  
AMENDMENT NO. 5      To Fourth Edition   1966

Adopted September 17, 1968      HOWARD COUNTY ZONING REGULATIONS

Section Affected: 7.08

Zoning Case No. 502                  Hearing Date: June 27, 1968

AMENDMENT

Add a new Section to be known as Section 7.08 to immediately follow Section 7.07 and to read as follows:

- 7.08      ATTACHED OR SEMI-DETACHED DWELLINGS PERMITTED IN THE R-A-1 DISTRICTS  
Attached or semi-detached dwellings may be erected for lease or sale in R-A-1 Districts, in accordance with the following provisions:
- 7.081     in areas designated by the Board of County Commissioners of Howard County as "Urban Renewal Areas," pursuant to the authority conferred by Chapter 877 of the acts of the General Assembly of Maryland, 1961, and Sections 325 through 338 of the Code of Public Local Laws of Howard County, edition approved April 8, 1965;
- 7.082     in groups having no more than twelve (12) dwellings attached to one another;
- 7.083     in such numbers as not to exceed twelve (12) dwellings for each acre designated in an Urban Renewal Area, calculated by multiplying the number of acres so designated by twelve (12); and
- 7.084     in such physical relation to each other and to other uses as may be specifically approved on a subdivision layout submitted to the Planning Commission, the Metropolitan Commission and the Health Department of Howard County.





AMENDMENT NO. 33 To Third Edition 1961  
AMENDMENT NO. 6 To Fourth Edition 1966

Adopted October 15, 1968 HOWARD COUNTY ZONING REGULATIONS

Section Affected: 14A

Zoning Case No. 506 Hearing Date: October 11, 1968

AMENDMENT

Add a new Section to be known as Section 14A and to read as follows:

Section 14A - Industrial Development (ID) District

In order to provide for the development of a large, industrial complex under single ownership, ID Districts may be created by petition in accordance with the procedure outlined in this Section 14A.

No ID District shall be created except by the procedure set forth in Section 14A.07 hereof. Each ID District must contain a total area of at least 300 acres. To qualify under this Section any land proposed to be designated as an ID District must be contiguous. Lands which are divided by streets, roads, ways, highways, transmission pipes, lines or conduits, or rights of way (in fee or by easement) owned by third parties shall be deemed to be contiguous for purposes of this Section 14A. No ID Districts shall be established except upon land the beneficial title to which is in the person, firm or corporation executing the petition referred to in Section 14A.07 hereof. The tenant under a lease having a term of not less than seventy-five years shall be deemed to be the holder of the beneficial title of the land covered by the lease for the purposes of this Section 14A.

14A.01 USES PERMITTED IN ID DISTRICTS

In ID Districts only the following uses of land or buildings shall be permitted:

14A.011 All manufacturing and industrial uses shall be permitted in ID Districts except the following:

14A.0111 Abattoir - slaughtering of animals - stockyards - killing or dressing of poultry.

14A.0112 Boiler making or works.

14A.0113 Brewing or distilling of alcoholic beverages.

14A.0114 Brick yard or kiln.

14A.0115 Creosote treatment or manufacture.

14A.0116 Dismantling of automobiles, salvage, storage, or sale of used automobile parts whether within a building or on an open parcel of land.

- 14A.0117 Distillation of coal, wood, bones or tar.
- 14A.0118 Distillation of spirits of turpentine or varnish.
- 14A.0119 Fat rendering.
- 14A.01110 Fertilizer manufacture.
- 14A.01111 Fireworks or explosive manufacture or storage.
- 14A.01112 Fish canning, curing, grinding or smoking.
- 14A.01113 Flour, grist or grain mills.
- 14A.01114 Fuel oil manufacture - or refining.
- 14A.01115 Foundries (except in connection with manufacturing conducted on the site which shall not be located within 300 feet of any property line).
- 14A.01116 Gasoline manufacture.
- 14A.01117 Hair factory.
- 14A.01118 Incineration or reduction of garbage (except in connection with manufacturing operations conducted on the site which shall not be located within 300 feet of any property line).
- 14A.01119 Iron, steel or copper works or foundries (except in connection with manufacturing operations conducted on the site which shall not be located within 300 feet of any property line).
- 14A.01120 Junk storage, handling or sale (except salvage and waste disposal in connection with manufacturing operations conducted on the site which shall not be located within 300 feet of any property line).
- 14A.01121 Lamp black manufacture.
- 14A.01122 Lime, cement, concrete or plaster of paris manufacture to be used off the site.
- 14A.01123 Lime kiln.
- 14A.01124 Manufacture or refining of petroleum or asphalt or any of their products.
- 14A.01125 Ore dumps, or elevators or ore reduction.
- 14A.01126 Paint, oil, varnish, lacquer, shellac or turpentine manufacture.
- 14A.01127 Paper or pulp manufacture.
- 14A.01128 Planing mill.
- 14A.01129 Plastic, pyroxylyene, including celluloid manufacture (except in connection with manufacturing operations conducted on the site which shall not be located within 300 feet of any property line).
- 14A.01130 Potash works.
- 14A.01131 Poudrette works.
- 14A.01132 Pulverising charcoal or coal for sale to third parties.
- 14A.01133 Raw hides or skins storage.
- 14A.01134 Refining of metals (except in connection with manufacturing operations conducted on the site which shall not be located within 300 feet of any property line).

- 14A.01135 Refuse dumps or sanitary fills.
- 14A.01136 Land fills (except in connection with manufacturing operations conducted on the site).
- 14A.01137 Rubber, caoutchouc or gutta percha manufacture.
- 14A.01138 Rubber manufacture from suede materials.
- 14A.01139 Quarries.
- 14A.01140 Sewage disposal plant -- except for uses connected with and situated on property and subject to approval of the Howard County Health Officer.
- 14A.01141 Shoddy manufacture and wool scouring.
- 14A.01142 Smelting.
- 14A.01143 Soap manufacture.
- 14A.01144 Soda or washing compound manufacture.
- 14A.01145 Starch, glucose or dextrine manufacture.
- 14A.01146 Steam or drop hammer forge plants (except in connection with manufacturing operations conducted on the site which shall not be located within 300 feet of any property line).
- 14A.01147 Stone crusher.
- 14A.01148 Sugar refinery.
- 14A.01149 Tallow, grease or lard manufacture or refining.
- 14A.01150 Tannery.
- 14A.01151 Tar distillation.
- 14A.01152 Tar roofing or tar waterproofing manufacture.
- 14A.01153 Vinegar manufacture.
- 14A.01154 Yeast plant.
- 14A.01155 However, those uses not listed above, requiring the approval of the Board of Zoning Appeals under Section 30.01 of these Regulations, may be allowed only with approval of the Board of Zoning Appeals.
- 14A.012 All business, commercial and retail uses permitted under any section of these Regulations (except uses permitted only in T-2 Districts) are permitted in ID Districts, provided that such uses are restricted to services, products and facilities made available to agents, officers or employees actually working on the site, or business invitees of the owner of the site and are not made available to the public generally.
- 14A.013 All retail uses permitted in B-1 and B-2 Districts under these Regulations are permitted in ID Districts, provided that (i) the products sold are either manufactured on the site or are sold as parts or accessories to products manufactured by the Owner of the site or elsewhere and (ii) that any service facilities are limited to the repair and/or service of products manufactured by

the Owner of the site or elsewhere.

14A.02 HEIGHT REGULATIONS

No building or any part thereof shall be erected or extended so as to exceed a height of 150 feet. In determining the height limitation of structures other than buildings, the provisions of Sections 21.021 and 21.022 shall apply, except that the requirement of approval by Federal and State aviation authorities shall not be applicable unless any structure exceeds 200 feet in height.

14A.03 AREA REGULATIONS IN ID DISTRICTS

14A.031 REQUIRED SIZE OF LOT

No tract of land containing less than 300 acres under one ownership shall be zoned as an ID District. Subject to the requirement that a plant site zoned as an ID District can never be smaller than the minimum of 300 acres, surplus land over and above this said minimum amount may be sold by the owner, provided, however, that land so sold and conveyed shall be, at the time legal title is transferred, deemed to be zoned M-R, as defined in these Regulations, and its development shall be controlled by and in accordance with the procedures of Section 14 of these Regulations. Any such sale shall be reported to the Zoning Commissioner so that the Zoning Map may be changed to reflect the zoning change.

14A.04 COVERAGE OF LOT AND REQUIRED YARDS

14A.041 COVERAGE OF LOT

The provisions of Section 14.042, as amended from time to time shall be applicable to ID Districts.

14A.042 REQUIRED YARDS

No permanent manufacturing building or permanent manufacturing accessory building shall be located less than 300 feet from the boundary of a Residential District devoted to a residential use; and no permanent building or permanent accessory building shall be located less than 150 feet from any property line or from an existing or proposed public road or highway; except that if the building exceeds 50 feet in height but is less than 101 feet in height, it shall not be located any closer than 200 feet from any property line or from an existing or proposed public road or highway; and, further, except that if the said building exceeds 100 feet but is less than 151 feet the setback from said roads and highways shall be a minimum of 250 feet.

14A.05 OFF-STREET PARKING REQUIREMENTS

Hard surface parking areas shall be provided in sufficient size to permit the parking entirely on the tract zoned ID of all automobiles, buses, trucks and other motor vehicles used to

bring employees, business invitees and other persons visiting the site, as well as all freight and other materials being brought to or from the site. Off-street parking requirements shall be subject to the provisions of Section 23.01 of these Regulations, except where a proposed parking area is to be built upon within a five-year period, and except for occasional temporary parking requirements for accessory buildings located not closer than 300 feet from any property line or public road or highway. All parking areas located within 300 feet of the property line or of the right of way of a public road or highway, not including interior roads, shall be landscaped with screen plantings not less than six feet in height at time of planting. Such landscaped areas shall be maintained at all times.

14A.06 WASTE PRODUCTS

The provisions of Section 16.07 and 16.08 shall apply to ID Districts, except that waste products may be discharged into the atmosphere, any stream, river or any body of water provided the same meets treatment standards of general application approved by the appropriate Federal, State or County Agency, whichever standards are higher.

14A.07 PROCEDURE FOR CREATING ID DISTRICTS

14A.071 ID Districts may be created by petition to the County Commissioners of Howard County for amendment to the zoning map in accordance with the procedure set forth in Section 33 of these Regulations.

14A.0712 A petition for creating an ID District shall be filed with the Zoning Commissioner. It shall be accompanied by three or more copies of preliminary development plans showing the proposed primary use of the tract, existing topography, proposed grading, drainage, sediment control measures, screening, planting, the extent, general location and character of proposed structures, uses and open area, ingress and egress. A copy of such preliminary development plan shall be transmitted by the Zoning Commissioner to the Planning Commission and the Metropolitan Commission of Howard County for recommendation and report on the proposed project to the County Commissioners.

14A.0713 After a public hearing, the County Commissioners shall pass an order approving the petition, approving the petition with conditions incorporated therein or disapproving the petition. No petition for the creation of an ID District shall be approved unless the County Commissioners affirmatively find that:

- (i) based upon reasonable assurances (as, for example, but not limited to, contracts of sale, testimony at the hearing by the intended

industrial user, etc.) acceptable to the County Commissioners, the tract after zoning as an ID District will be used as an industrial development under one ownership;

- (ii) that the intention to develop the tract is bona fide;
- (iii) that the granting of the petition for rezoning will be in the public interest and will promote the public health, safety, morals and general welfare;
- (iv) that the granting of the rezoning and the industrial development of the tract is not inconsistent with and is compatible and harmonious with the comprehensive plan of development of the County;
- (v) that the granting of the rezoning and development in accordance with the preliminary development plan will not adversely affect surrounding properties; and
- (vi) that the tract in question, viewed in relation to surrounding land uses, the availability of public utilities, roads, highways, railroads, is suitable for the development of a large industrial complex.

14A.0714 Any appeal from the action of the Board of County Commissioners on the petition shall be made in accordance with the Maryland Rules providing for appeals from administrative agencies.

14A.08 As used herein, the terms "owner" and "single ownership" shall be taken to mean, in the case of a corporation, that a parent corporation and all of its wholly-owned subsidiaries shall be deemed to be one owner and, in the case of individuals, that partnerships, joint ventures and other associations of individuals involving joint ownership of property shall be deemed to be one owner

AMENDMENT NO. 34 TO THIRD EDITION  
AMENDMENT NO. 7 TO FOURTH EDITION

Adopted: April 7, 1970 HOWARD COUNTY ZONING REGULATIONS

Section Affected: 13.1

Zoning Case No. 534 Hearing Date: January 12, 1970

#### AMENDMENT

Add a new Section to be known as Section 13.1 to immediately follow Section 13 and to read as follows:

#### SECTION 13.1 - PLANNED MERCANTILE AREA

The PMA Districts are planned and landscaped mercantile areas. They are intended to encourage an orderly concentration of commercial and shopping facilities in selected areas of the County which are accessible from major highways and would assure that such uses will be compatible with, and will not adversely affect, abutting properties and the surrounding community as a whole, and at the same time will provide desirable commercial facilities which will serve as a mode of design and influence and be an asset to the county.

The Board may approve a PMA in any residential district, provided the PMA is designed and planned as a unified development and is an asset to the neighborhood and County. An objective of PMA is to provide the type of zoning analogous to a special exception (or the so called "Floating zone"), in effect, under a single ownership or legal entity accountable to County authorities so that assurance may be had that developments will conform to plans as approved. The PMA may be employed, particularly, in locations where, from the point of view of an overall development concept or master plan, land preservation and conservation decisions, or maintenance of a rural or historical flavor, may determine a more sensitive use of land.

#### 13.101 USES PERMITTED IN PMA DISTRICTS

In the PMA Districts only the following uses of land shall be permitted.

13.1011 Art galleries, art stores, or art studios, including photograph studios.

- 13.1012 Automobile parking lots, for customer parking only, provided no automobile repairs or service shall be permitted and no motor vehicles shall be sold from the premises.
- 13.1013 Bakery, provided all goods baked on the premises shall be sold at retail from the premises.
- 13.1014 Banks and savings and loan associations.
- 13.1015 Business and professional offices.
- 13.1016 Community meeting houses , commercial establishments for receptions and parties.
- 13.1017 Department stores, including the sale of clothing, furniture and household appliances.
- 13.1018 Not more than one gasoline service station, provided no repair work except minor repairs and adjustments shall be permitted, as an integrated structure in the total concept, and provided further that no gasoline service station uses shall be permitted unless 25% of the building construction as contemplated in the Final Development Plan is completed.
- 13.1019 Personal service shops, such as barber shops, beauty shops, tailor shops and shoe repair shops.
- 13.1020 Restaurants
- 13.1021 Retail stores such as general food, meat, grocery, drug confectionery, variety, hardware and alcohol package goods stores.
- 13.1022 Specialty stores, such as clothing stores, gift shops and furniture stores.
- 13.1023 Garden centers for the sale of nursery products and gardening equipment.
- 13.1024 Not more than one theatre or motion picture theatre, except that open air theatres shall not be permitted.



13.1025 Public displays by private, civic or governmental organizations.

13.102 ACCESSORY USES AND BUILDINGS

Any use normally and customarily incident to any use in the PMA districts shall be permitted, and in addition thereto one single family dwelling house and outbuildings may be erected in the PMA district provided that it shall house only the groundskeeper and/or maintenance man and family of the PMA district and provided further that the house and outbuildings shall not be nearer than 150 feet to the nearest commercial use.

13.103 HEIGHT REGULATIONS

Buildings shall be restricted to a maximum height of three stories, except that structures in period architecture (i.e., with such typical appurtenant features as steeples, peaked roofs, and chimneys), may be approved by the Planning Board to a greater height.

13.104 AREA REGULATIONS

13.1041 A PMA area as permitted in the PMA DISTRICT shall contain not less than 25 contiguous acres of land within the project area and be located adjacent to a major highway, and such land shall not be divided by a thoroughfare except ordinary streets planned within the context of the PMA concept to provide for ingress and egress to parking areas and shopping facilities, and constituting a part of the project area maintained by the owner of the shopping area.

13.1042 No buildings or use of any kind shall be situated nearer than 100 feet to the nearest right-of-way of any highway abutting the property except the single family dwelling house and outbuildings appurtenant thereto as described in Section 13.102, and also except that the gasoline service station may be erected within 100 feet of a public street or highway, but in no case less than 70 feet. At least 10 feet immediately adjacent to the right-of-way of any street abutting the property shall be planted or sodded in grass and such landscaped area shall be maintained at all times by the owner of the shopping area.

- 13.105 DISTANCE FROM RESIDENTIAL DISTRICTS  
No building or use shall be permitted within 200 feet of the boundary line of any Residential District, except the single family dwelling house and outbuildings appurtenant thereto as described in Section 13.102, which in no case shall be permitted within 20 feet of the boundary line of any Residential District. Appurtenant outbuildings shall not be permitted to house animals.
- 13.106 GREEN SPACE USES  
Each PMA District shall provide at least 40% in green space uses, as a basic element in the planned and landscaped development of the area.
- 13.1061 Green space uses are defined as being those uses which do not involve any coverage of land with buildings, parking lots and vehicular rights of way.
- 13.1062 Green space uses may consist of landscaped areas, formal gardens, woods, lawns, parks, ponds, natural areas, pastures, and outdoor recreational activities of a non-commercial nature.
- 13.107 OFF STREET PARKING  
Provisions for off-street parking shall be required in accordance with Section 23 herein.
- 13.108 USE OF LAND WITHOUT BUILDINGS  
All uses permitted in the PMA Districts shall be conducted completely within the confines of an enclosed building, except for specifically outlined and maintained nursery beds as part of a garden center, and no outdoor storage of any kind shall be permitted, except the temporary parking of private automobiles and parking of trucks while loading or unloading. Pasturing of livestock as an integrated element of the landscaping theme shall be permitted.
- 13.109 ADVERTISING  
No sign or advertising matter of any kind shall be permitted on the property except the following:
- 13.1091 Directional and informational signs, each not to exceed four space feet in area and not exceeding 16 square feet in the aggregate.
- 13.1092 Signs forming a part of the architectural design of the

building, provided such signs do not extend above roof level.

- 13.1093 Not more than one sign on each public entrance to the Planned Mercantile Area which shall identify the name of the PMA provided such sign does not extend above twenty feet from ground level.
- 13.1094 Signs painted on fences or buildings, and roof signs shall not be permitted.
- 13.1095 Flashing, blinking and moving signs shall not be permitted.
- 13.1096 Illumination, if any, shall be designed and arranged to prevent glare into other properties.
- 13.1097 Not more than one directory sign which shall include only the name of the businesses within the PMA District, the location within the PMA District and the goods or services for sale at that business.

13.110 APPLICATION FOR PERMIT

No buildings shall be constructed, altered or increased in size and no existing use shall be changed in the PMA District until:

- 13.1101 The site plan has been approved by the Planning Board in accordance with provisions of Section 13.112 et seq. hereof.
- 13.1102 The Division of Zoning has approved an application for a certificate of occupancy, or a permit certifying that the proposed use complies with the provisions of these regulations.
- 13.1103 The Department of Public Works has approved the application.
- 13.1104 The Health Officer of Howard County has approved the application where such application involves any matter coming within his jurisdiction.
- 13.1105 The Bureau of Licenses, Permits and Inspections certifies that the proposed buildings conform to the requirements of the Building Code.
- 13.1106 A Building permit has been issued.

13.111 DATA REQUIRED FROM APPLICANT

The Planning Board, Division of Zoning and the Bureau of Licenses, Permits and Inspections may require such plats, building plans, and data from the applicant as will enable each to determine compliance with applicable regulations.

13.112 APPROVAL OF SITE PLAN BY PLANNING BOARD

- 13.1121 No certificate of occupancy or permit shall be issued for any

- use in the PMA Districts until the site plan has been approved by the Planning Board and the Division of Zoning.
- 13.1122 The Planning Board, before acting upon the site plan, shall give consideration to the following:
- 13.1122A The land-use plan and the general plan for the County.
- 13.1122B The adequacy and location of roads within the District to be used, access roads to the proposed District from arterial highways and whether or not adequate roads or highways are available to protect nearby residential property.
- 13.1122C The locations, layout and adequacy of parking, loading and unloading facilities.
- 13.1122D General traffic conditions in or near the property to be used.
- 13.1122E Whether or not sewerage and water facilities, (whether public, or privately maintained), have been approved by the Howard County Health Department.
- 13.1122F The highway plans of the County and State.
- 13.1122G Any other factors which may prevent the orderly growth of the County or would adversely affect the completion of the general use and development plans of the County or State.
- 13.1123 After carefully considering the above guides and standards, the Planning Board shall approve, approve with modifications and conditions attached, or disapprove the site plan, stating the reasons for its action.
- 13.113 FAILURE TO COMPLY AFTER OCCUPANCY
- If, at any time, after an occupancy permit has been issued for any use in a PMA district, and the building or buildings are occupied and/or used, the Division of Zoning finds that any of the requirements of this Section are being violated, the Division of Zoning shall order the owner to make such corrections as it deems necessary to bring the use and operation into compliance with the provisions of this Section and such order shall be complied with, within a period of time extending not more than 120 days from the original notice. The owner may appeal to the Board of Appeals from the Division of Zoning's Order either as to necessary changes ordered or the time within which to complete them. The Board shall make no decision in the matter without first holding a public hearing. Such appeal and public hearing shall be within the time and as otherwise provided by Section 29 of these regulations.

- 13.114 ORDER TO DISCONTINUE USE  
Where the owner fails to conform with the notice of the Division of Zoning or the resolution of the Board of Appeals, including any limitations and conditions which may be imposed, the permit and all rights and privileges thereunder shall become null and void. Hereafter, the property shall not be occupied or used unless and until a new permit for any use permitted in the PMA District shall have been issued pursuant to this Section.
- 13.115 PROCEDURE FOR CREATING PMA DISTRICTS
- 13.1151 Areas for PMA Districts may be created by petition to the Zoning Board of Howard County for an amendment to the Zoning Map in accordance with procedure set forth in Section 16.204 of the Howard County Code.
- 13.1152 A petition for creating such a PMA District shall be accompanied by ten copies of development plan showing existing topography, proposed layout, drainage, landscaping, extent, general location and character of proposed structures, uses of commercial and open areas, and ingress and egress. Such development plan shall be submitted to the Planning Board and the Department of Public Works for recommendation and timely report to the County Council.
- 13.1153 After a public hearing on the proposed development plan, the County Council shall pass their order of disapproval, approval, or approval with conditions incorporated therein. Any approval hereunder shall contain a specific requirement that buildings and grounds continue to be so maintained that they will not adversely affect vicinal properties. Failure to comply with this requirement may be grounds for reclassification of such property by the proper authority after notice and public hearing. All uses of any property zoned PMA District must be in compliance with an approved development plan.
- 13.1154 A site plan in accordance with the approved development plan showing the design and layout, ingress and egress, storm drainage, and public or privately maintained water and sewerage facilities shall be submitted to the Planning Board, the Department of Public Works and the Health Department of Howard County. The site plan shall have final approval of the above Board and Departments before any

construction is started within the project area.

- 13.116 PROCEDURE TO MAINTAIN PMA ZONING ONCE GRANTED
- 13.1161 Within eighteen months of the granting of PMA zoning, there shall be submitted to the Planning Board a site plan for a minimum of 25% of the total floor space, parking, and green space uses on the PMA District as contemplated in the development plan, and in no case shall the original site plan contain less than ten acres, otherwise the zoning for the PMA District will revert automatically to the zoning classification which existed prior to the granting of the PMA District.
- 13.1162 Within two years of the approval of the site plan, building permits for the entire site plan shall be applied for to the Bureau of Licenses, Permits and Inspections, otherwise the zoning for the PMA District will revert automatically to the zoning classification which existed prior to the granting of the PMA District.
- 13.1163 Within six months of the issuance of the building permits, construction shall be underway on the PMA District. Otherwise, the zoning for PMA District shall revert automatically to the zoning classification which existed prior to the granting of the PMA District.
- 13.1164 Within thirty months of issuance of the building permit, construction shall be completed within the approved site plan.
- 13.1165 If construction is not completed within the approved site plan in accordance with Section 13.1164, the PMA District zoning reverts automatically to the prior zoning classification for all areas not within the approved site plan, without prior notice, publication or a public hearing.
- 13.1166 At any time, but not later than eighteen months after the completion of the construction of the buildings, parking lots and other uses, a site plan for the remainder of the PMA District shall be submitted to the Planning Board for approval.
- 13.1167 After approval the same time sequences as set forth in Section 13.1162, 13.1163, 13.1164 and 13.1165 shall be adhered to, otherwise the zoning for those areas which have not complied with those requirements shall revert automatically to the prior zoning classification without notice, publications and public hearing.

13.1168 The Planning Board may in its sole discretion, grant extensions to any of the time limits required to maintain the PNA zoning, provided however, that no extension in excess of six months may be granted and not more than two extensions be granted.





AMENDMENT NO. 35  
AMENDMENT NO. 8

TO THIRD EDITION  
TO FOURTH EDITION

Adopted: April 28, 1970      HOWARD COUNTY ZONING REGULATIONS

SECTION AFFECTED: 22A.01, 22A.02, 22A.03, 22A.04 & 22A.05

Zoning Case No. 556      Hearing Date: April 7, 1970

AMENDMENT

Add a new section to be known as Section 22A.01, to immediately follow Section 22.03 and to read as follows:

22A.01      With respect to any amendment to the Zoning Map of Howard County made after the effective date of this amendment, applicable to a change in the following districts; M-R, S-C, P-C, R-A-1, M-1, B-1, B-2, M-2, T-1 and T-2, such amendment, shall be subject to the following conditions:

A Site Development Plan for improvement of the entire area covered by the Map Amendment shall be submitted to the office of Planning and Zoning, the Department of Public Works and the Howard County Health Department within two (2) years from the date of approval by the Zoning Board or said amendment shall be void and the area affected shall revert to the zoning classification in effect prior to the most recent amendment or shall revert to the zoning classification most similar in characteristic to the prior classification if such does not exist in the Zoning Regulations.

22A.02      The Site Development Plan shall show the design and layout; ingress and egress; storm drainage; and public water and public sewerage facilities and shall be reviewed by the above office and departments with respect to any construction in areas covered by the Map Amendment. The Site development Plan shall have final approval by the Office of Planning and Zoning, Department of Public Works and the Howard County Health Department before any construction is started within the project area.

22A.03      Within one (1) year of approval of the Site Development Plan of the above office and departments, a building permit or permits shall be applied for in the Bureau of Inspections, Licenses and Permits, for a building or buildings which

comprise not less than 25% of the floor area of buildings shown on the Site Development Plan. If such a permit or permits is not applied for, the zoning of the subject property shall be void and shall revert to the prior classification in the same manner as provided in Section 22A.01, unless on written request from the petitioner or owner, the Zoning Board after receiving a recommendation and report from the Planning Board, grants an extension, provided, however, that not more than one such extension for a period of one year may be granted.

22A.04 If the building permit or permits for at least 25% of the floor area of the building shown on the Site Development Plan are not utilized to the extent that the buildings are not substantially constructed within a period of three (3) years from the date of issuance of permit or permits, the zoning shall be void on the entire subject property not affected by the construction already in process and such zoning shall revert to the classification in effect prior to the most recent amendment in the same manner as provided in Section 22A.01.

22A.05 If a property should revert to a prior classification in accordance with Sections 22A.01, 22A.03 or 22A.04 of these regulations, thereafter the Howard County Zoning Board shall take no further action on another petition for the same or substantially the same proposal on the same premises until after one year from the date of reverter, unless on written request from the petitioner or owner, the Zoning Board after receiving a recommendation and report from the Planning Board, grants an extension, provided, however, that not more than one such extension for a period of one year may be granted.

AMENDMENT NO. 36  
AMENDMENT NO. 9

TO THIRD EDITION  
TO FOURTH EDITION

Adopted: May 5, 1970

HOWARD COUNTY ZONING REGULATIONS

Section affected: 19.32

Zoning Case No. 557

Hearing Date: April 7, 1970

AMENDMENT

Add a new Section to be known as Section 19.32 to immediately follow Section 19.319 and to read as follows:

- 19.32 The Board may approve in R-90 to R-20 Districts, a greenhouse and/or commercial florist shop provided buildings are in conformance with all height and area requirements of the district in which the same are located; provided, however, that the lot area shall be at least five (5) acres.



AMENDMENT No. 37  
AMENDMENT No. 10

TO THIRD EDITION 1961  
TO FOURTH EDITION 1966

Adopted August 18, 1970

Howard County Zoning Regulations

Section Affected: 7.042 to 7.048 and 7.05

Zoning Case No. 558

Hearing Date: June 29, 1970

#### AMENDMENT

1. Delete Sections 7.042, 7.043 and 7.044 in their entirety.
2. Add New Section 7.042A, to read as follows:

##### 7.042A YARD RESTRICTIONS

No building shall be located within fifty (50) feet of a public street right-of-way, provided that where a building is adjacent to a freeway or a primary road, a setback of not less than one hundred (100) feet shall be provided. Where a building is adjacent to a private road a setback of not less than forty (40) feet shall be provided. Where a building is adjacent to a private road with parking on each side thereof, the setback shall be measured from the edge of the paving of such parking areas and shall be a minimum of 25 feet. No building shall be located within fifty (50) feet of any property lines of the total project.

3. Renumber Sections 7.045 - 7.048 to new numbers 7.043A - 7.046A, respectively.
4. Delete from Section 7.05:

"or access driveways to parking areas"















